BENGAL SECRETARIAT LIBRARY

GENERAL APPENDIX

TO THE

REPORT OF THE COMMISSIONER

FOR THE

REVISION OF CIVIL SALARIES AND ESTABLISHMENTS

THROUGHOUT INDIA.

CALCUTTA:

JOHN GRAY, "BENGAL HURKARU" PRESS

1858.

APPENDIX NO. 4.61

Mamlutdars and Mahalkurries in Bombay.

No. 902 of 1858.

FROM

J. D. INVERARITY, ESQUIRE,

Revenue Commissioner Southern Division, Poona.

TO

H. RICKETTS, ESQUIRE,

Commissioner for revision, of Civil salaries and establishments throughout India.

Camp BAMBOORDE, *6th April*, 1858.

SIR,

With reference to my letter, No. 438, dated 18th February last, I have the honor to annex a statement, prepared from information supplied by the Collectors, shewing the details respecting Mamlutdars and their duties, requested in your communication, No. 1027, dated 3rd June, 1857, for all the Collectorates of this division, excepting Sattara, particulars for which have not yet been furnished by the Collector, Mr. Rose.

2. There being no Naib Mamlutdars in this division, one column is left blank; Mahalkurries have been shewn in a separate column.

3. Adverting to the 2nd paragraph of your letter, No. 1027, of 3rd June, I beg to state that I have, at the present time, no suggestions to make on the subject of improving the status and salary of Mamlutdars.

I have the honor to be,

Sir,

Your most obedient servant,

J. D. INVERARITY,

Revenue Commissioner, Southern Division.

APPENDIX NO. 462

Mamlutdars and Mahulkurries of Bombay.

Statement shewing the names of Talookas, the Salary of the Mamlutdars and Mahalkurries, the extent of their charges as regards area, land Revenue, number of rent-payers; and of their duties as regards Revenue and Criminal work disposed of in the Sattara Collectorate.

Collectorate.	Names of Talookas.	Salary of Mamlutdars.	Salary of Naib Mamlutdars.	Salary of Mahalkurries.	Area of Talooka in square miles.	Land Revenue of Talooka for 1856-57.			Number of payers of Revenue in Talooka.	Average number of Revenue cases of all sorts disposed of by each Mamlutdar.	Average number of Criminal cases disposed of by each Mamlutdar.	REMARKS.
Sattara.	Kurad, ...	175	.....	1 Mahalkurry, Rs. 50	364	2,00,609	7	9	8,132	3,016	1,985	
	Walwa, ...	175	.....	1 Ditto, ... „ 40 1 Ditto, ... „ 36	1,250	2,41,850	2	5	12,729	9,150	5,280	
	Punderpoor, ...	175	.....	1 Ditto, ... „ 50 1 Ditto, ... „ 40	1,200	1,62,072	7	10	11,393	8,967	5,254	
	Khuttao, ...	175	.....	1 Ditto, ... „ 40 1 Ditto, ... „ 40	1,520	1,54,874	9	1	9,115	4,603	1,984	
	Khanapoor, ...	175	.....	1 Ditto, ... „ 50	960	1,25,067	15	7	7,337	6,737	2,923	
	Sattara, ...	150	.....	.....	384	1,03,825	0	11	4,085	6,867	3,519	
	Waee, ...	150	.....	1 Mahalkurry, Rs. 50	960	1,14,299	12	1	8,558	6,346	2,660	
	Koreyzaon, ...	125	.....	1 Ditto, ... „ 40	510	1,58,278	14	1	4,412	4,985	2,191	
	Tarzaon, ...	125	.....	1 Ditto, ... „ 40	304	1,12,604	14	11	5,691	5,147	1,999	
	Beejapoor, ...	125	.....	.....	975	87,394	9	7	5,028	5,678	2,204	
	Jaolee, ...	100	.....	1 Mahalkurry, Rs. 36	900	54,486	1	8	5,573	7,293	1.408	

ABSTRACT.

Total number of Mamlutdars, ...	11
Total area of Talookas, ...	9,327 square miles.
Total Land Revenue of ditto, ...	Rs. 15,25,363 15 11
Total number of Rent payers, ...	82,053
Average extent of each Talooka, ...	848 square miles.
Ditto pay of each Mamlutdar, ...	Rs. 150 0 0
Ditto ditto Mahalkurry, ...	42 10 8

POONA DISTRICTS, *Revenue Commissioner's Camp,*

"MOONDOWRE," 12*th April*, 1858.

J. D. INVERARITY,

Revenue Commissioner, Southern Division.

APPENDIX No. 463

Establishments in the Revenue Department, Bombay.

No. 808.

FROM

H. RICKETTS, ESQ.,
Commissioner for the revision of Civil salaries and establishments throughout India.

TO

H. YOUNG, ESQ.,
Chief Secretary to the Government of Bombay.
Dated Bombay, the 26th February, 1857.

SIR,

I HAVE the honor to acknowledge the receipt of your memorandum No. 278, dated the 24th ultimo, together with papers connected with a revision of the establishments in the Revenue department, conducted simultaneously with the transfer of a certain portion of the establishment of each district to the Police department, consequent on the separation of that department from the immediate control of the Magistrate and Collector.

I can find nothing in these papers from which to form a judgment whether the transfers are suitable or not. I think it might be useful, if it has not already been done, to allow the Commissioner of Police, and the Superintendents, opportunity of recording their opinion whether, in each case, the transfer proposed embraces all those whose services can be dispensed with by the Revenue department.

The proposed establishment in the English department of each office, as shewn in the 36th paragraph of the report of the Commissioner of the Northern division, No. 2612 A, dated the 25th October last, is very large. It averages 12½ writers for each district.* In Bengal the average is 6½; in the North-Western Provinces, 5½; in the Punjab, 3¼.

I find in the Bombay English establishments in each office an Accountant and a Deputy Accountant, receiving very high salaries.† There are peculiarities in the Bombay system which render the employment of these highly-paid officers necessary. In the North-Western Provinces, Bengal, and other parts, the accounts are always prepared in the native language, and merely translated into English, the English writer being answerable only for the correctness of the translation, whereas in the Bombay offices, many of the accounts are prepared in the original in English. I believe this to be needless, and it renders necessary expensive agency, instead of the agency of native Accountants, always easily procurable at a very moderate cost.

After deducting these Accountants, the average number of clerks in each office is 10½, nearly double the number allowed under the other Governments. The necessity for this number of clerks should be carefully examined, and all useless correspondence prohibited. The salaries are not extravagant.

* Deducting Colaba.

† In large districts Rupees 200 and 80 per mensem, and in the second class districts Rupees 150 and 75 per mensem.

1380

APPENDIX No. 463

Establishments in the Revenue Department, Bombay.

In the native department, I find the undermentioned peculiarities. The pay of the Naib Chitness in some offices is the same as the pay of the Chitness. Besides a guard for the office, there are large establishments of huzoor peons with native officers. It should be explained on what duties all these persons are to be employed. Petty supplies are charged at different rates, varying from Rs. 100 to Rs. 150. It should be specified what charges are admissible into this account. Assistant Collectors are allowed establishments costing from Rs. 63 to Rs. 93, while Deputy Collectors are allowed only

1 Karkoon,	12
1 Ditto.,	10
4 Sepoys at 5 Rs. each	20
	42

It is impossible that a Deputy Collector should be able to employ himself usefully with the assistance of only two persons; moreover, there is no allowance for stationery.

An establishment of from twenty to thirty sepoys is placed under each Mamlutdar. The duties of these persons should be fully described. If when default occurs, the defaulter is made to pay the cost of the process issued to enforce payment, it is not apparent on what duty this force can be employed.

In the Northern division the establishment in each district is to cost per mensem—

Ahmedabad, Rs.	5,695
Kaira,	4,799
Broach,	4,385
Surat,	7,037
Tanna,	8,346
Kandeish,	11,940

There probably are sufficient causes for the establishments of some districts costing more than double the establishments proposed for others, but these papers do not convincingly shew them. It is desirable in the conduct of such a revision to select a district as a pattern, and having fixed the establishment of that district, then to fix the establishments of the other districts with reference to that standard. I recommend that Ahmedabad should be selected as the standard, or if the Collector of any one district is known to have given much attention to such subjects, and is considered pre-eminently qualified for such a task, it is on many accounts desirable that his district should be selected. After the most careful inquiry and minute examination of the work to be performed in all departments, the establishment of that district should be fixed on the lowest scale compatible with the efficient discharge of all the duties. A comparative statement should then be prepared shewing the elements of work, and the establishments proposed for each district, in the form annexed, and where, with reference to the amount of work in any district, relatively with the amount of work shewn in the standard district, the establishments proposed appear disproportioned, the district officer should be called upon to shew cause why the scale allowed in the standard district is inapplicable to his district, and the establishments should be finally settled after due consideration of the cause shewn.

The elements which generally speaking will be found to influence the strength of the establishment required, are (1) area, (2) population, (3) amount of land revenue, (4) amount of revenue other than land revenue, (5) receipts of the treasury, (6) number of persons paying direct to the Collector* or his subordinate Collectors, (7) number

* In a ryotwarree district the number of ryots who have a separate account will be shewn. In districts where there are middle men, as in Rutnagherry, the number of middle men will appear.

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Establishments in the Revenue Department, Bombay.

of letters sent and received, (8) number of cases of all sorts, (9) number of petitions received. Provided the establishment of the standard district be adjusted with sufficient care, and the Commissioner, with the information before him above particularized, canvasses the strength of establishment required in personal communication with the Collector, and his head native officers, a mistake of any consequence is nearly impossible.

It is a great assistance to satisfactory comparison of establishments to tabulate the districts, as in the statement annexed. It shews all the information I have at present, and at a glance it is seen that explanation is required on the following points. 1st—In Tanna there are sixteen writers to fourteen in Candeish, though the English work in the former district is much less than in the latter. 2nd—In Surat there is in the treasury, and stamp department, only one more person than there is in Broach, though the treasury receipts in Surat are Rs. 41,91,780 to Rs. 18,98,979 in Broach. 3rd—In Kandeish there are twenty-six talookas, to nineteen in Tanna, and thirteen in Surat, though the land revenue is less in Kandeish than in either of the other districts.

If the Right Honorable the Governor in Council will direct the Commissioners of the two divisions to reconsider the establishments with reference to the plan now propounded, and to submit statements to me prepared in the manner above described, I will lay them before the Government for final approval.

I would in this place remark, that it must be impossible to fix the talooka establishments, either positively or relatively, in a proper and suitable strength, without full information respecting the hereditary officers of each district, and the use made, or to be made of them.

There are such discrepancies in the statistical table at the head of the statement, that it is impossible the same data should have been taken in each district. The officers should be directed to communicate with each other, and make, each, alterations as comparison may shew to be required.

The original papers received with the memorandum under reply are herewith returned, as also the Revenue volume and original papers received with letter No. 241, dated the 23rd Instant.

I have, &c.,

(Sd.) H. RICKETTS,

Commissioner for the revision of Civil salaries and establishments throughout India.

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APPENDIX. No 464

Miscellaneous Papers respecting Moonsiffs. Establishments in Bengal

(COPY.)

No. 993.

Calcutta, Moonsiff's Office, C. T. Buckland, Esq.

To

The Judges of Shahabad, Tirhoot, Bhaugulpore, Dinagepore, Moorshedabad, Rajshahye, Sylhet, Tipperah, Beerbhoom, Midnapore, 24 Pergunnahs, Hooghly, Backergunge and Cuttack.

SIR,

Suddr. Dewy. Dept.
PRESENT.
Sir R. Barlow, Bart.

J. R. Colvin and
J. Dunbar, Esquires,
Judges, and
H. T. Raikes, Esq.
Offg Judge.

I am directed by the Court, to forward to you the accompanying Extracts, paragraphs 11 to 14, from a letter from the Judge of Dacca, and to request, that you will state your opinion, as to the strength and pay of the establishment which you think sufficient for the office of Moonsiff, on its present constitution.

I have, &c.,

(Signed) C. T. BUCKLAND,

Register.

FORT WILLIAM,
The 22nd June, 1853.

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APPENDIX. No 464

Miscellaneous Papers respecting Moonsiffs, Establishments in Ben

Calcutta, Moonsiff's Office, C. T. Buckland, Esq.

Extract paragraphs 11 *to* 14, *from a letter from the Judge of Dacca, to the Register of the Sudder Dewanny Adawlut, No.* 256, *dated* 1*st June,* 1853.

Establishment of Moonsiffs.

11. Annexed is a statement of the establishment, under each of the nine Moonsiffs in this Zillah The numerical strength is in no instance less than six, nor does it exceed eight, except in the case of the Dacca Moonsiff, who is also Sudder Ameen The salaries of these ministerial Officers is also detailed, and the Court will necessarily be forcibly struck with the utter inadequacy of the scale of allowances , I need not state, that Rs. 3 and Rs. 2 per mensem is insufficient pay for the Mohurrirs of a Judicial Court, but this sum, it will be seen from the statement above referred to, is the remuneration generally received by them. It is also superfluous for me to state to the Court, that it is impossible that these Officers can live upon such a pittance.

12. I beg to suggest, that the present allowance for Moonsiffs establishments, be raised to Rupees 50, exclusive of a charge of 10 Rupees for Stationery. That the Establishments of all Moonsiffs should be assimilated , and comprize the following Officers upon the salaries indicated opposite each office.

Sheristadar	14
Roobkar Novees	10
1 Mohurrir	7
1 Do.	7
1 Do.	6
1 Do.	6
Rupees...	50

13. The lower Courts have the power of appointing and removing their ministerial officers, and assigning to them such duties as they may think proper. They should not on any account be permitted, in my opinion, to alter their establishment, either as to the number of officers, or scale of allowance. A similar statement to that now furnished, might be called for, from other Districts, with the opinions of the several Judges, and if Government will sanction the increased charge which the change will involve, the Supreme Court might with those returns before it, direct the introduction of any such uniform establishment and scale of allowances, as it might think fit.

14. The strength of establishment I have proposed, will, I think, with a judicious division of labor, be found generally to be efficient, and the scale of remuneration, while not extravagant, will be sufficient to keep a man honest, if he have any desire to be so. I need not urge upon the Court the importance of this subject. The simple fact, that educated men, qualified to hold ministerial offices in our Judicial Courts, are on the receipt of salaries of only Rupees 2 per mensem, speaks for itself.

(True Copy and Extract.)

(Signed) C. T. BUCKLAND,

Register.

APPENDIX. No 465

Miscellaneous Papers respecting Moonsiffs, Establishments in Bengal

Abstract of Returns to Circular Letter, No. 993, *of the* 22*nd June* 1853, *calling upon certain Judges to state their opinion, as to the strength and pay of the Establishment, which they think sufficient for the office of a Moonsiff, on its present constitution.*

Calcutta Moonsiff's Office, C. T. Buckland, Esq.

Judge of Moorshedabad, No. 229, dated 2d July, 1853.

The amount fixed for a Moonsiff's establishment, is very inadequate, and should not be less than 60 Rupees a month. No native of respectability and talent, could serve as a Sheristadar on 7 Rupees, or as a Mohafiz on 4 Rupees, doubtful characters must take office on such poor pay, with ultra expectations. This extra inducement should no longer be allowed to exist. Better men on higher Salaries, would raise the Mofussil Courts in respectability and public estimation, and contribute at the same time largely to the disposal of a greater amount of work. Recommends at every Chowkee the following establishment.

1 Sheristadar...	Rs. 18
1 Peishkar...	10
1 Mohafiz...	10
1 Decree Novees....	8
1 Mohurrir.....	7
Stationery...	7
	60 Rs.

Judge of 24 Perghs. No 93, dated 4th July, 1853.

The present pay of the Establishment of a Moonsiff, is too inadequate to ensure efficiency and honesty, and therefore the proposal of the Judge of Dacca, as to the strength of a Moonsiff's establishment, will be productive of the greatest possible advantage.

Suggests that the rule of uniformity of establishments, be applied also to the Principal Sudder Ameens, Sudder Ameens, and Sudder Moonsiffs, as shewn in the subjoined Memorandum, and there should be a similar prohibition, as suggested by the Judge of Dacca, in his 13th paragraph, against the change of designation, and allowances of offices.

MEMORANDUM.

PRINCIPAL SUDDER AMEENS COURT.

Present Establishment.				*Proposed Establishment.*	
1st Prcpl. Sudr. Ameens Court.		2nd Prcpl. Sudr. Ameens Court.			
Sheristadar. ..	Rs. 23	Sheristadar.. ..	Rs. 22	Sheristadar... ..	Rs. 30
Peishkar..	„ 15	Peishkar..	„ 10	Roobkar Novees.. ..	„ 15
Mohafiz..	„ 14	Meer Moonshee....	„ 9	Mohafiz..	„ 15
Decree Novees.. ..	„ 10	9 Mohurrirs at 6 each	„ 54	Naib do.	„ 7
Decree Jaree Mohurrir	„ 11	Mohafiz..	„ 8	4 Mohurrirs at 9 each..	„ 36
4 Mohurrirs at 9 each	„ 36	Naib..	„ 6	2 do. at 8 each..	„ 16
2 do. at 8 each	„ 16	Nazir..	„ 8	Nazir..	„ 8
Nazir..	„ 6	Naib..	„ 5	Duftery..	„ 4
Chupprassee.. ..	„ 5	1 Mohurrir.. ..	„ 5	Chupprassee.. ..	„ 4
		1 do.	„ 4		
		Duftery..	„ 4		
Total Rs.	136	Total Rs...	135	Total Rs..	135

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Miscellaneous Papers respecting Moonsiffs, Establishments Bengal

Calcutta, Moonsiff's Office, C. T. Buckland, Esq.

SUDDER AMEEN AND SUDDER MOONSIFF.

Present Establishment.

Sheristadar.	Rs.	12
Peishkar.	„	7
Meer Moonshee.	„	6
Decree Novees.	„	5
Mohafiz.	„	4
Do.	„	3
Decree Jaree Novees.	„	4
Do.	„	4
Perwannah Novees.	„	4
Roobkar Novees...	„	5
2 Mohurrirs at 5 Rs. each. ..	„	10
1 do.	„	3
Duftery.	„	1
Nazir.	„	2
Total Rs.. ..		70

Proposed Establishment.

Sheristadar..	Rs.	16
Roobkar Novees..	„	12
Mohafiz..	„	8
2 Mohurrirs at 7 Rs. each.. ..	„	14
2 do. at 6 Rs. each.. ..	„	12
Nazir..	„	5
Duftery..	„	3
Total Rs.. ..		70

Judge of Hooghly, No. 87, dated 5th July, 1853.

The scale given by the Judge of Dacca, is as low as should be fixed in any Moonsiffship ; but if 50 Rupees be the most can be assigned, a reduction of the Sheristadar's salary to 12 Rupees, would be desirable, so that no Mohurrir, may have less than 7 Rupees a month, 6 Rupees being only a few annas above what is necessary for his food, lodging, and raiment. The allowance for Stationery too to be increased to 10 Rupees, and the use of better paper and writing inculcated, whilst the present system for recording evidence remains.

Judge of Backergunge, No. 43, dated 5th July, 1853.

If a Moonsiff would do his utmost, and keep an eye upon his Omlah, that they also were steadfast to their work, a smaller establishment than that proposed by the Judge of Dacca, might even do. One head responsible Officer, and four Mohurrirs, are enough, with proper management and judicious distribution of work, for any Moonsiff.

The pay proposed for the Sheristadar is proper, but the 4 Mohurrirs ought to be paid at two different scales, viz. two at 9 Rupees each, and the other two at 7 Rupees each. Two grades of Mohurrirs are proposed, with a view of having the salary of its incumbents, fixed at a graduated scale, that there might be a stimulus to exertion. While on this subject, the Court might take advantage of it, to revise and model the establishments of all the Principal Sudder Ameens, and Sudder Ameens, upon one uniform plan. It would be attended with essential advantage, if all the Amlah of the various Courts, (the Judge and all) were regarded as one establishment. As a check to prevailing abuses, and in order to make sure of getting the most efficient men into vacant posts, the appointment of every officer to his first post in whatever Court it might be, ought to be made by the Judge. His after promotion depending on the character he may obtain

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from the head of the office. The native Judge should nominate an inferior to a superior grade, and the Judge should appoint him or not, as he may consider proper. Every office of superior grade, should draw from the offices below, for new incumbents of the lowest grade, when vacancies happen, and where an office has no fit person in it to put into the vacancy in the higher grade, some person should be looked for from some other office. Every post would thus be regarded as a sure stepping stone to some thing better, the whole Judicial establishment would be like one office, and the young man who began his career as a Moonsiff's Mohurrir, might hope to rise to the best paid posts in the Judges establishment.

Calcutta, Moonsiff's Office, C. T. Buckland, Esq.

PRINCIPAL SUDDER AMEEN.

Present Establishment.	Rs.	*Proposed Establishment.*	Rs.
Sheristadar. - -	31	Sheristadar. - -	30
Peishkar. - - -	13	2 Mohurrirs at 9 Rs. each. - -	30
Roobkar Novees. -	11	2 do. at 10 Rs. ea.	20
Record Keeper. -	6	3 do. at 7 Rs. ca.	21
Naib Mohafiz. - -	6	1 Nazir (besides his Meran) - - -	5
1 Mohurrir. - -	7	1 Duftery. - -	4
8 do. at 5 Rs. ea.	40	2 Chuprassees.- -	8
Nazir. - - - -	7	Total Rs. -	118
Naib do. - - -	5		
Duftery. - - -	3		
2 Chuprassees at 3 Rs. ea. - -	6		
Total Rs. -	135		

SUDDER AMEEN AND MOONSIFF OF BURRISAUL.

Present Establishment.	Rs.	*Proposed Establishment.*	Rs.
Sheristadar. - -	14	Sheristadar. - -	20
Peishkar. - - -	8	2 Mohurrirs at 9 Rs. each. - -	18
Mohafiz. - - -	6	3 do. at 7 Rs. ea.	21
Roobkar Novees.	5	Nazir (besides his Meran) - - -	5
2 Mohurrirs at 5 Rs. each. - -	10	Total Rs. -	64
2 do. at 4 do. -	8		
1 Nazir. - - -	5		
1 Chuprassee. -	4		
Total Rs. -	60		

PRESENT ESTABLISHMENT.

Moonsiff of Cowcally.	Rs.	*Moonsiff of Bowpal.*	Rs.	*Moonsiff of Mendegunge.*	Rs.	*Proposed Establishment.*	Rs.
Sheristadar. - -	7	Sheristadar. - -	8	Sheristadar. - -	8	Sheristadar. - -	14
Peishkar. - - -	6	Peishkar. - - -	6	Peishkar. - - -	6	2 Mohurrirs at 9 Rs. each. - -	18
Roobkar Novees.	5	Roobkar Novees.	3-8	Roobkar Novees.	4	2 do. at 7 Rs. ea.	14
1 Mohurrir. - -	5	Mohafiz. - -	3-8	Mohafiz. - - -	4		
1 do. - - -	4	1 Mohurrir. -	3-8	3 Mohurrirs at 3 Rs. each. - -	9		
1 do. - - -	3	1 do. - - -	3				
		1 do. - -	2-8				
Total Rs. -	30		30		31		46

Had contemplated proposing 16 Rupees and 12 Rupees as the Salary of the Sheristadar, and Peishkar, or Roobkar Novees respectively, and reducing the numerical strength to five Officers, but it is possible, that number might be too small for general purposes, and therefore readily joins in advocating Mr. Davidson's proposition, which is perhaps as good as any other, that could be suggested for general adoption.

Judge of Beerbhoom, No. 52, dated 5th July, 1853.

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Miscellaneous Papers respecting Moonsiffs, Establishments in Beng

Calcutta, Moonsiff's Office, C. T. Buckland, Esq.

Judge of Midnapore, No. 71, dated 5th July, 1853.

Suggests in a Statement subjoined, that the Scale of the Sheristadar's allowance, be raised to 20 Rupees per month, as he cannot maintain his position for less. The present Salaries are merely nominal, and it is notorious, that inadequate as they are, the Sheristadars of the Moonsiff's Courts, after a few years tenure of office, become affluent, purchase lands and property *benamee*, and surround themselves with every personal comfort and convenience that can be desired. The Judge is not prepared to allege that a Salary of 20 Rupees per mensem, would ensure honesty, but it would remove all excuse for dishonesty, and the stigma which now attaches to the state, by employing men at a rate of pay so inadequate as virtually to sanction an illegal tax upon the public, to make good the deficiencies of their pay. In consideration of the Offices of Sudder Ameen and Sudder Moonsiff being united in this District, and of the fact that the Amlah of the latter, have to perform the duties of both Courts, recommends that the allowance for establishment be increased in the same proportion, as in the instance of the Moonsiffs and the salaries allotted as proposed.

SUDDER AMEENSHIP AND MOONSIFFSHIP OF MIDNAPORE.

Present Establishment.	Rs.	*Proposed Establishment.*	Rs.
Sheristadar.	15	Sheristadar.	20
Peishkar.	10	Peishkar.	13
Record keeper.	8	Record keeper.	10
Moonshee.	6	Moonshee.	8
Mohurrir.	5	Mohurrir.	7
Do.	5	Do.	7
Do.	5	Do.	6
Do.	5	Do.	6
Nazir.	4	Nazir.	5
Duftery.	3	Duftery.	4
Stationery.	14	Stationery.	14
Total Rs.	80	Total Rs.	100

THE DIFFERENT MOONSIFFSHIPS OF BUGHREE, AUNUNDPORE, &c. &c.

Present Establishment.	Rs.	*Proposed Establishment.*	Rs.
Sheristadar.	9	Sheristadar.	20
Peishkar.	6	Peishkar.	10
Record keeper.	5	Record keeper.	6
Mohurrir.	4	Mohurrir.	5
Do.	4	Do.	5
Do.	4	Do.	4
Stationery.	8	Stationery.	10
Total Rs.	40	Total Rs.	60

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Miscellaneous Papers respecting Moonsiffs, Establishments in Bengal

Calcutta, Moonsiff's Office, C. T. Buckland, Esq.

Judge of Sylhet, No. 32, of 23rd July, 1853.

For the efficient establishment of a Moonsiff on its present constitution, 50 Rupees is not sufficient. The Judge of Dacca has omitted a Mohafiz altogether, and yet his is a very important one, and ought comparatively speaking, to be well paid. No Moonsiff in Sylhet, (with the exception of the Moonsiff of Soramgunge, who has but few cases in his file) has a less number than eight native Officers under him, and that number is considered indispensable. Suggests as a general rule, the following Establishment.

Sheristadar...	12
Roobkar Novees	8
Mohafiz...	8
3 Mohurrirs at 6 Rs. each...	18
Total...	58

With this number, the Establishment would be really efficient, and the Moonsiffs must be strictly instructed, that they are on no account to divide the salary, with the view of having a larger number of working Officers. The Moonsiff of Lushkerpore, has an allowance of Rupees 80, in consideration of the large number of cases, (upwards of 500) pending on his file, and he has thus apportioned the amount.

	Rs.
Sheristadar...	12
Peishkar...	8
Head Moonshee...	7
3 Mohurrirs at 5 Rs. each...	15
3 Mohurrirs at 4 Rs. each....	12
Stationery...	14
Total Rs...	80

The increase proposed in the scale of allowance in the Moonsiff's Courts, will be a vast improvement, and perhaps as great an augmentation as can be recommended, with any reasonable prospect of sanction, but does not agree with the Judge of Dacca, in thinking, that it is "sufficient to keep a man honest, if he have any desire to be so." 14 Rupees is about the wages of a good Khausamah, Rupees 7 and 6, the wages of Khedmitgars, doubtless, the officers receiving these sums, will have sufficient to keep body and soul together, and will thus be saved from the *positive necessity of peculation*, which the present miserable pittance involves, and they will escape the contempt and ridicule which has handed them in some places, with the soubriquet of "Company's Dacoits," but looking to the importance and respectability of their duties, considers salaries proposed, *still only half what they ought to be*; should such increase be hopeless, and that now pro-

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Miscellaneous Papers respecting Moonsiffs, Establishm. in Bengal

Calcutta, Moonsiff's Office, C. T. Buckland, Esq.

posed to be the highest to be sanctioned, sees no objection to the scale laid down, but that it might be better to have one Mohurrir less and raise the salaries of the rest.

Sheristadar...	17
Roobkar Novees	12
1 Mohurrir...	7
1 do.	7
1 do.	7
Total Rs...	50

Judge of Bhaugulpore, No 37, dated 7th July, 1853.

Concurs generally in the view taken by the Judge of Dacca, and recommends an increase to the extent indicated in the heavier Moonsiffships, the lighter ones might be carried on with the present allowances, or at most increased by the amount now allowed for Stationery. Proposes further to augment the pay and allowance of Moonsiffs, to 160, and the 1st Grade Moonsiffs, to 210 Rupees per mensem, 60 Rupees of each of which to be expended in Establishment and in Stationery, on the respectable footing detailed in the Dacca Judge's letter, No. 256, of 1st June 1853, this will undoubtedly improve the weight and character of the office of Moonsiff, and if reliance could be placed on the Native Judges selecting fit and competent men, such as the pay proposed, would easily command in the market, the work of the Moonsiffs will be well and amply done by the number assigned. The establishment of the various Subordinate Civil Courts is given below. The Sudder Ameen and Moonsiffship of Monghyr, are in one, with the allowance of the higher grade appointment only for establishment and Stationery for the double office, which appears sufficient.

SUDDER AMEENSHIP AND MOONSIFFSHIP OF MOONGHYR.

Present Establishment.

	Rs.
Sheristadar. - - -	10
Peishkar. - - - -	8
Mohurrir. - - - -	6
Do. - - - -	4
Do. - - - -	4
Do. - - - -	3
Decree Novees. - - -	5
Izhar Novees. - - -	4
Nazir. - - - -	6
Mohurrir. - - - -	5
Do. - - - -	3
Decree Novees. - - -	3
Record keeper. - - -	4
Lot Novees. - - -	3
Duftery. - - - -	2
Stationery. - - - -	10
	80

Proposed Establishment.

	Rs.
Sheristadar. - - -	16
Roobkar Novees. - -	10
1 Mohurrir. - - -	8
4 Mohurrirs at 6 Rs. each. -	24
Nazir. - - - -	6
Duftery. - - - -	3
Stationery. - - - -	13
	80

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Bengal Moonsiffs, C. T. Buckland, Esq.

MOONSIFFS.

Bhaugulpore.	Rs.	*Soorujgurrah.*	Rs.	*Kissengunge.*	Rs.	*Proposed Estabt.*	Rs.
Sheristadar ..	8	Sheristadar ..	7	Sheristadar ..	9	Sheristadar ..	14
Peishkar ..	6	Peishkar ..	5	Peishkar ..	6	Roobkar Novees ...	10
Mohurrir ..	5	Mohafiz ..	4	Roobkar Novees ...	6	2 Mohurrirs at 7 Rs. each.. ..	14
Do. ..	4	Decree Novees ..	4	Mohurrir ..	4		
Do. ..	4	Mohurrir ..	4	Decree Novees ..	3	2 Do. at 6 Rs. ea.	12
Do. ..	3	Do. ..	3	Mohurrir ..	2	Stationery ..	10
Do. ..	3	Do. ..	3	Do. .	2		
Duftery ..	1	Do. ..	3	Stationery ..	8		
Stationery ..	6	Stationery ..	7				
Rs..	40	Rs..	40	Rs...	40	Rs..	60

Umerpore.	Rs.	*Rajmehal.*	Rs.		Rs.
Sheristadar. - - -	10	Sheristadar. - - -	9	Sheristadar. - - -	14
Peishkar. - - - -	7	Peishkar. - - - -	8	Roobkar Novees. - -	10
Mohurrir. - - - -	6	Naib do. - - - -	7	1 Mohurrir. - - -	7
Do. - - - -	5	Decree Novees. - -	5	1 do. - - -	6
Mohafiz. - - - -	4	Mohurrir. - - - -	3	Stationery. - - -	8
Stationery. - - - -	8	Stationery. - - - -	8		
Rupees. -	40	Rupees. -	40	Rupees. -	45

On review of the existing Establishments, Judge of Cuttack of the different Moonsiffs Courts', they are found No. 37, dated 18th July 1853, to be as follows.

	Sum allowed for Estabt.	Strength of Estabt.	Monthly pay of officers on Estabt.	Stationery.
Sudder Ameen & Moonsiff of Balasore.	Rs. 80	14 officers.	Rs. 2 to Rs. 9	Rs. 20 0
Moonsiff of Cuttack. - - -	40	11 do.	„ 2 „ 7	„ 3 12
Moonsiff of Dhamnagore. - -	40	8 do.	„ 2 „ 8	„ 8 0
Moonsiff of Kendraparah. - -	40	13 do.	„ 1 „ 6	„ 2 0
Moonsiff of Pooree. - - -	40	9 do.	„ 2 „ 7	„ 6 0

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The above allowances, as observed by the Judge of Dacca, are totally inadequate, and impossible for the individuals to maintain themselves on their pay, consequently, agrees with that officer, that the minimum scale of any person employed as a Mohurrir in the Judicial Department, should not be under Rs. 6 per mensem. It is not quite so easy to determine the exact strength of the establishment, for where six officers will suffice in one instance, many more will be required in another. It is well known, that in addition to the officers borne on the regular establishments of the Courts, there are always a greater or less number of taid Novees employed under them, whose services should be dispensed with, as they have no other means of supporting themselves, than by preying on the suitors in the Courts. Should the additional allowance of Rs. 20 per mensem, proposed by the Judge of Dacca, be sanctioned, thereby making the aggregate sum for each Moonsiff's Establishment Rupees 60, suggests that it be distributed thus.

Sheristadar	Rs. 10
Peishkar or Head Mohurrirs	8
6 Mohurrirs at 6 Rs. each	36
	—
	54
Stationery	6
	—
	60
	—

In addition to the above, the Moonsiffs be supplied with books from the Judges Court, for the different Registers required to be kept up in their several offices, and be permitted to send their Gazettes (Bengallee and Ooryah) annually to be bound at the Judges office, as the sum of Rupees 6 per mensem proposed for stationery, is not sufficient to cover the expenses of the above books, after defraying the cost of paper for current miscellaneous purposes. It will also be necessary to revise the number and pay of the officers on the establishment of the Sudder Ameen and Moonsiff of Balasore, in order to raise the salaries of the different Mohurrirs, to the minimum standard above

proposed, consequently suggests, that he be allowed, in all, ten officers, or four less than those employed at present, viz.

Bengal Moonsiffs, C. T. Buckland, Esq.

Sheristadar...	Rs.	12
Peishkar...		10
8 Mohurrirs at 6 Rs. each...		48
		70
Stationery as at present...		20
	Rs.	90

thereby increasing the sum now allowed for Omlah and stationery by Rupees 10. The Sudder Ameen and Moonsiff will of course provide himself with books for his different registers, and defray all other contingent expenses as before, from his allowances for stationery.

Judge of Dinagepore, No. 53, dated 21st July, 1853.

The Moonsiff's establishment proposed by the Judge of Dacca, will be sufficient with a slight alteration, viz., the four Mohurrirs, to have each 6 Rupees, (making 24 instead of 26) and a Duftery, 2 Rupees. The pay of all the Mohurrirs being the same, will prevent squables as to Department, and a Duftery is indispensable.

Judge of Tipperah, No. 289, dated 18th July, 1853.

Agrees with the Judge of Dacca, in considering such salaries as Rupees 2 and 3 per mensem, wholly inadequate. They occur in two instances in this district, and should be forthwith remedied. It would be impossible to arrange a satisfactory establishment for Moonsiffs, on the present limited allowance of Rupees 40 per mensem. The Scale proposed by the Judge of Dacca, would be a great improvement on the existing system, but would add another Mohurrir to the number suggested. The Moonsiffs of this district, have hitherto got on with five Omlahs, but it has been effected by allowing a class of people, termed Muddeed Novees, to assist the Sheristahs, which custom is open to very great and obvious objections.

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Bengal Moonsiffs, C. T. Buckland, Esq.

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Miscellaneous Papers respecting Moonsiffs, Fyslah in Bengal

Present Establishment.

Sudder Ameen and Moonsiff of Noacally.	Moonsiff of Cattoally.	Moonsiff of Cusbah Moomuggur.	Moonsiff of Nussirnuggur.	Moonsiff of Pauchpookhooriah.	Moonsiff of Toobkibograh.	Moonsiff of Juggernath Dighee.	Moonsiff of Begungunge.	Moonsiff of Ameerging.	Proposed Establishment for Moonsiffs.
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Sheristadar.. - - 10	Sheristadar. 10	Sheristadar. 10	Sheristadar. 10	Sheristadar. 10	Sheristadar. 10	Sheristadar. 10	Sheristadar. 10	Sheristadar. 10	Sheristadar. 15
Naib do. - - 9	Peishkar. - 7	Peishkar. - 7	Peishkar. - 6	Peishkar. - 6	Peishkar. - 7	Peishkar. - 7	Peishkar. - 7	Peishkar .- 7	Peishkar novees. - 10
Peishkar. - - 7	Mohafiz. - 4	Mohafiz. - 5	Mohafiz. - 4	Mohafiz. - 5	Mohafiz. - 5	Mohafiz. - 5	Mohafiz. - 5	Mohafiz. - 5	1 Mohafiz. 7
Head Mohurrir. - 6	Roobkar-novees. - 5	Roobkar-novees. - 5	Roobkar-novees. - 4	Roobkar-novees. - 5	Roobkar-novees. 5	Roobkar-novees. - 5	Roobkar-novees. - 5	Roobkar-novees. - 5	1 Fyslah-novees. - 7
Mohafiz. - - 6	Mohurrir. 4	Mohurrirs. 4	Mohurrir.. 4	Mohurrir. - 4	Mohurrir.- 4	Mohurrir.. 4	Mohurrir. - 4	Mohurrir.- 4	1 Mohurrir. 6
Roobkar Novees. - 5	Do. - - 4	Do. - - 3	Do. - - 3	Do. - - 2	Stationery. 9	Stationery. 9	Stationery. 9	Stationery. 9	1 do. 6
Mohurrir. - - 5	Stationery. 6	Stationery. 6	Stationery. 9	Stationery. 8					1 do. 5
Do. - - - 4									Stationery. 8
Do. - - - 4									
Do. - - - 4									
Do. - - - 4									
Nazir. - - - 4									
Stationery. - - 12									
Tolal Rs. . - 80	Rs. 40	Rs. 40	Rs. 40	Rs. 40	Rs. 40	Rs. 40	Rs. 40	Rs. 40	Rs. 64

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Miscellaneous Papers respecting Moonsiffs, Estab.ts in Bengal

Bengal Moonsiffs. C. T. Buckland, Esq.

Agrees with the Judge of Dacca, in the propriety of his suggestion, for raising the present allowance of the officers to 50 Rupees, exclusive of a monthly charge of 10 Rs. for stationery, &c. The number of officers and salaries proposed by the Judge of Dacca, is adequate and judicious, each Moonsiff of course entertaining a Nazir, agreeably to Act XIV, 1845, and that they should on no account, be allowed to make any alterations in their establishments, either as to their numerical strength, or the fixed rates of salary.

Judge of Tirhood, No. 127, dated 23rd July, 1853.

Bengal
Moonsiffs, C.
T. Buckland,
Esq.

APPENDIX. No. 4.

Miscellaneous Papers respecting Moonsiffs, Establishments in Bengal

Present Establishment.

Sudder Ameen of Mozufferpore.	Moonsiff of Durbungah.	Moonsiff of Mozufferpore	Moonsiff of Mubwah.	Moonsiff of Teghra.	Moonsiff of Coilee.	Moonsiff of Bhowarah.	Moonsiff of Dulsungserae.	Establishment proposed by the Judge of Dacca.
Rs.	Rs.	Rs.	Rs	Rs.	Rs	Rs.	Rs.	Rs.
Sheristadar. - - 7	Sheristadar. - 7	Sheristadar. - 7	Sheristadar. - 6	Sheristadar. - 7	Sheristadar. - 7	Sheristadar. - 9	Sheristadar. - 7	Sheristadar. 14
Peishkar. - - - 7	Izhar novees- 4	Record keeper 4	Peishkar. - 5	Record keeper 5	Peishkar. - 6	Peishkar. - 7	Roobkar novees. - - 4	Roobkar novees. - - 10
Record keeper. - 7	Record keeper 5	Izraee Decree novees. - 4	Izhar novees. 5	Roobkar novees. - - 4	Record keeper. 5	Decree novees 6	Izhar do. - 4	1 Mohurrir.. 7
Nazir. - - - - 4	Mootporka-novees. - 4	Missil do. - 4	Record keeper 4	Mohurrir. - 4	Izhar novees. 4	Record keeper 6	Record keeper. 4	1 do. - 7
Mohafiz Rae Decree 6	Decree do. 4	Decree do. - 4	Naib do. 3	Do. Izraee Decree. - 4	Decree do. - 4	Izhar novees. 6	Fysla novees. 4	1 do. - 6
Izhar novees. - - 6	Do. do. 3	Izhar do. - 5	Mohurrir Izraee Decree. 5	Decree novees 4	Mohurrir Izraee Decree 4		Mohurrir Izraee Decree. 4	1 do. - 6
Decree do. - - 4	Kitah do. 4	Perwannah do. 4	Perwannah novees. - 2	Perwannah do. 2	Perwannah do. 4		Mohurrir. - 3	50
Izhar novees. - - 5	Duftery. - - 2	Nazir. - - 1	Nazir. - - 2	Nazir. - - 2			Chittee novees. - - 3	Stationery. - 10
Roobkar novees. - 4			Duftery. - - 2					
Leyah do. - 4								
Perwannah do. - 4								
Mohurrir Fouzdy. 4	This Moonsiff pays 5 Rupees out of his own funds to a Peishkar.							
2 Peons. - - - 4								
Total. - 71	33	33	34	32	24	34	33	60

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Miscellaneous Papers respecting Moonsiffs, Estab.ts in Bengal

Bengal Moonsiffs, C. T. Buckland, Esq.

Judge of Rajshahye, No.——, dated 30th July, 1853.

Agrees with the Judge of Dacca, that the allowance of the Omlah attached to the offices of Sudder Ameen and Moonsiff, is quite inadequate, in many cases a mere pittance. Subjoined is a statement of the Omlah attached to the Courts of the Sudder Ameens of Bauleah and Bograh, (who are also Moonsiffs at those stations) and also to the other Moonsiff's Courts—at foot of the Statement will be seen the pay of the Sheristadars, &c. and the number at each rate. Nothing under 50 Rupees, would be sufficient to make their pay assimilate with that of other Courts.

The Sudder Ameens who are also Moonsiffs, have two Nazirs, one for each office. One is ample and would in all such cases, allow one Nazir to conduct the duties of both offices; Jemadars, &c., are quite unnecessary. The Peadah in attendance, could always act as Criers. Would abolish all *extra* Omlahs *now* on the establishment, but the Moonsiff may reappoint them on a vacancy occurring.

Bengal
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T. Buckland,
Esq.

APPENDIX. No. 4.b.5

Miscellaneous Papers respecting Moonsiffs Establishments in Bengal

Present Establishment.

Sudder Ameen and Moonsiff of Bauleah.	Sudder Ameen and Moonsiff of Bograh.	Moonsiff of Natore.	Moonsiff of Chowgong.	Moonsiff of Bhowanigunge	Moonsiff of Bilmareah.	Moonsiff of Kheetooparah	Moonsiff of Shazadpore.	Moonsiff of Chuppye.	Moonsiff of Dhoobalhattee	Proposed Establishment for Moonsiff.
Rs.	Rs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Sheristadar..15	Sheristadar. 15	Sheristadar.. 7	Sheristadar. 8	Sheristadar. 8	Sheristadar.. 9	Sheristadar..10	Sheristadar.. 8	Sheristadar.. 8	Sheristadar.. 8	Sheristadar. 15
Peishkar. .. 6	Peishkar. .. 8	Peishkar.... 4	Peishkar. ... 6	Peishkar. .. 5	Peishkar ... 7	Peishkar ... 5	Peishkar.... 4	Peishkar..... 6	Peishkar..... 5	Missilkhan or Meer Moonshee } 8
Meer Moonshee. 6	Meer Moonshee 7	Meer Moonshee 3	Mohurrir .. 5	Mohafiz .. 4	Mohafiz .. 5	Mohafiz.... 4	Mohafiz.... 4	Mohafiz.... 6	Mohafiz.... 6	
Mohafiz..... 7	Mohafiz 7	Mohafiz.... 3	Decree Novees ... 5	Decree Novees..3-8	Decree Novees . 5	Decree Novees ... 3	Decree Novees ... 4	Decree Novees .. 5	Meer Moonshee 4	Mohafiz or Record Keeper.. } 7
Decree Novees.... 4	Naib do. .. 3	Decree Novees ... 3	Mohurrir ... 3	Mohurrir ..3-8	Mohurrir ... 4	Mohurrir .. 3	Mohurrir ... 3	Mohurrir ... 5	Decree Novees'.. 2	4 Mohurrirs at 5 Rs. ea.. } 20
Mohurrir ... 4	Decree Novees ... 4	Mohurrir .. 3	Do. 3	Do. 3	—	Do. 3	Do. 3	—	Mohurrir ... 3	
Do. 4	Return Novees ... 4	Do. 3	—	Do. 3	30	Do. 3	De. 3	30	Do. 2	—
Do. 4	Mohurrir ... 4	Do. 3	30	—		—	—			Total...50
Do. .. . 4	Fysla Novees ... 5	Duftery.... 1		30		30	30			
Nazir..... .. 4		—								
Duftery.... 3	Mohurrir ... 3	30	1 Peishkar.. 8	1 Meer Moonshee. 7	2 Mohafiz ... 7	1 Decree Mohurrir. 5	1 Mohurrir.. 5			
Jemadar ... 3	Nazir 4	2 Sheristadars Bauleah & Bograh } 15	1 Do. ... 7	1 Do. .. 6	2 Do. ... 6	2 Do. 4	2 Do. 4			
—	Naib do. .. 3		3 Do. .. 6	1 Do. .. 3	2 Do. ... 5	3 Do. 3-8	3 Do. 3			
64	Duftery .. 3		4 Do. .. 5		3 Do.... 4	4 Do. 3	4 Do. 2			
	—	1 Do. 10			1 Do. ... 3					
	70	1 Do. 9								
		5 Do. 8								
		1 Do. 7								

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Miscellaneous Papers respecting Moonsiffs, Bengal.

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ENCLOSURE.

Extract from a Report, from Mr. H. Ricketts, on the District of Cuttack, dated 8th December, 1853.

Civil Justice.

Para : 56. The Principal Sudder Ameen represented, that the business of copying Decrees and preparing the Monthly Returns was so heavy, it was useless to attempt to dispose of cases during the first days of the month, for there was no one at leisure to prepare the Record, all being employed in bringing up the work of the past month, that the forms furnished are very voluminous, and that copies of Decrees must be ready in 7 days, or explanation furnished of the delay.

57. He further represented, that in order to effect what was done, he was necessitated to employ Native Officers at Salaries quite disproportionate to the labor and responsibility of the Offices they filled, especially, that the Mohurrir, who had charge of accounts, embracing receipts and disbursements to the amount of upwards of 60,000 per annum, received 7 Rupees. The allowances of 150 per mensem, is disposed of as follows :—

Sheristadar...	20		
Peishkar...	10		
Mohurrir....	10		
Do.	10		
Do.	8		
Mohafiz...	8	 70	
Nazir...	8		
Mohurrir...	7		
Naib Mohafiz	6		
Mohurrir...	6		
Do.	6		
Do.	6		
Do.	5	 44	
Do.	4		
Do.	4		
Do.	4		
Do.	4		
Do.	4		
Duftery	6		
Paper, &c...	10	 26	 150

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58. Many of these persons receive no more than is paid to a common piada, for carrying messages, some may accept the situations in order to learn, some may consent to work on such a pittance, having no alternative except manual labor, but the inference is irresistable, that trifling fees and donations make the offices worth having.

At Pooree, the 40 Rs. allowed the Moonsiff, was distributed as follows :—

Sheristadar	....	....	7
Naib do.	....	....	5
Mohafiz	....	....	4
Decree Novees	....	....	4
4 Mohurrirs at 3	....	....	12
1 Mohurrir	....	....	2
Stationery	....	....	6
			40

The Moonsiff entertains a Duftery at his own cost.

59. Baboo Tarucknath Bidya Saugur, is highly spoken of by the Judge and the Sudder Court, he certainly is popular with the people of Cuttack. He appears a very intelligent person, and thoroughly acquainted with the laws and the orders of the Courts. He is employed for some days at the beginning of each month in conducting sales in execution of decrees and other miscellaneous duties, and assures me he is most desirous to carry out the orders contained on the Courts Circular of the 4th April 1853, in which bringing forward several cases together towards the end of the month was forbidden. He represents, that if the existing system is to be abandoned, and he is to dispose of cases throughout the month, as has been usual in the last half of the month only, his establishment must at least be doubled.

At Cuttack, it is distributed as follows :—

Sheristadar	..	7	
Naib do.	..	5	
Mohafiz	..	5	
Head Decree Novees	...	3	
Naib do.	..	2	8
Mohurrir	..	3	
4 Mohurrirs at 2	...	8	
Duftery	..	2	12
		36	4
Stationery	...	3	8
Mater	..	0	4
		40	0

60. I have no doubt, that a considerable increase of Establishment would enable many Principal Sudder Ameens to decide nearly double the number of suits. But it appears to me that some relief may be afforded. The volumining monthly statements might be advantageously revised, and reduced in number and bulk.

In the monthly statement of cases disposed of, an abstract of each case is inserted. The preparation of an abstract is by no means a very easy matter; copying the abstract must occupy much time, and the abstracts connot possibly be of any use. No one ever thinks of reading them. I earnestly recommend, that the monthly returns submitted by the Judges to the Sudder Court, and by the subordinate Courts to the Judges, should be revised with a view to dispensing with all forms not absolutely necessary to efficient Superintendence, and that the establishments of all Moonsiffs be forthwith increased to 70 Rupees, the establishment of Sudder Ameens to 120, and the establishments of Principal Sudder Ameens to 200, pending further enquiry. The Judge represents, that a great deal of unnecessary labor is occasioned, by the subordinate Courts having to prepare copies of Decrees to be delivered to parties, who frequently do not attend to receive them. A Moonsiff has to prepare four copies of each Decree, one to be filed with the Record, one for the Plaintiff, one for the Defendant, and one to be entered in a book called the Moonsiffs Decree book, and should there be more than one Defendant, and

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separate answers filed by each, there must be as many copies as there are separate answers. I cannot think all this labor necessary. In the higher Courts, copies are not prepared till called for. The same system might advantageously be extended to the subordinate Courts.

The Moonsiff of Dhamnugger alone disposed of cases regularly from the beginning to the end of the month.

61. The Judge's return to a statement I called for, shews that nearly all Moonsiffs habitually devote $\frac{1}{4}$ of their time to mere mechanical labor, or sit by, while the mechanical labor is performed by their subordinates. The increase I have proposed in their Establishments, is 20 Rupees per Mensem, 1-4th of the Moonsiffs time is worth 25 Rupees. If the increase enables the Moonsiff to work this 1-4th of his time, instead of sitting idle, the State will in the case of each Moonsiff, gain 5 Rupees per Mensem, and in the Case of Principal Sudder Ameens, should the increase enable them to devote their whole time to the trial of cases, the Government will gain the difference between 1-3rd of their Salary and 70 Rupees. The enquiry with a view to the reduction of the bulk of the monthly returns, might also embrace the subject of the number of Omlah, which, after the reduction in the monthly returns, would enable all grades of Judicial Officers to devote their whole time to such work as is worth the rate of pay they receive, instead of employing themselves in the superintendence of labor which might be exactly as well done at 1-10th of the expense. The time of a Principal Sudder Ameen is wasted, whenever he is employed in revising monthly statements, and comparing Copies.

(True Extract)

C. T. BUCKLAND,

Junior Secy. to the Govr. of Bengal.

1604

APPENDIX No. 46

Miscellaneous Papers respecting Moonsiffs, Estab^ts in Bengal

No. 1873.

Calcutta, Moonsiff's Office, C. T. Buckland, Esq.

FROM

The Junior Secretary to the Government of Bengal.

To

H. RICKETTS, ESQ.,

Commissioner for the Revision

of Civil Salaries and Establishments.

Judicial. *Dated, Fort William, the 16th May,* 1856.

SIR,

I am directed by the Lieutenant Governor, to acknowledge the receipt of your letter, No. 82, of the 6th Instant; and in reply to state, that your report on the inadequacy of the allowance for Establishment in the Sudder Ameens and Moonsiff's Courts, was received at a time, when the correspondence noted in the margin (copy of which is herewith sent to you) was taking place, and a copy of your remarks, appears to have been placed with the papers in for consideration.

Letter, No. 697, dated 14th October 1853, from Home Department.
Extract, Para: 6, from Enclosure of do.
Do. Para: 1, of Letter, No. 2002, of 31st Octr. 1853, to Suddr. Court.
Letter, No. 63, of 13th Jany. 1854, from do. & its Enclosures.
Note, dated 17th February „ by Mr. Secy Beadon.
Minute dated 26th April „ by the Most Noble the Governor of Bengal.
Extract, Para 67, from a report, dated 1st March 1854, by Mr. Dunbar.

I have the honor to be, Sir,

Your most Obedient Servant,

C. T. BUCKLAND,

Junior Secy. to the Govt. of Bengal.

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APPENDIX. No 467

Miscellaneous Papers respecting Moonsiffs, Estab^ts in Bengal

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No. 697.

Calcutta, Moonsiff's Office, G Couper, Esq.

FROM

G. COUPER, ESQ.,

Offg. Under Secy. to the Govt. of India.

TO

W. G. YOUNG, ESQ.,

Under Secy. to the Govt. of Bengal.

Home Dept., Judicial. *Dated, the 14th October,* 1853.

SIR,

With reference to the letters noted on the margin, I am directed by the Governor General of India in Council, to forward for the information of the Most Noble the Governor of Bengal, the annexed Extracts, (Para : 4 to 6) from a despatch from the Honorable the Court of Directors, No. 8, of 1853, dated 17th August.

Extract, Home Dept., No. 305, dated 13th April 1852.
Letter to Govt. of Bengal, No. 561, dated 29th September 1849.
Do. to do No. 516, dated 2nd August 1850.
Do. from do. No. 102, dated 15th January 1851.

I have the honor to be, &c.,

COUNCIL CHAMBER,
The 14th October, 1853.

(Signed) G. COUPER,
Offg. Under Secy. to the Govt. of India.

Extract from a Despatch, from the Honorable the Court of Directors, to the Government of India in the Judicial Department, No. 8, *of* 1853, *dated the* 17*th August.*

Letter dated, 30*th August, No.* 18, 1852.

Para : 6. We trust that at no distant period, a remedy may be devised for the acknowledged fact, that the allowances of the Moonsiffs and their establishments, are at present, fixed on an inadequate scale.

6 to 8, Regarding the allowances for Moonsiffs and their Establishments. The proposals of the Lieut Govr. N. W. Provinces not acceded to.

(True Extract.)

(Signed) G. COUPER,
Offg. Under Secy. to the Govt. of India.

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APPENDIX. No. 467

Miscellaneous Papers respecting Moonsiffs, Estab.ts in Bengal

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Calcutta, Moonsiff's Office, G. Couper, Esq.

Extract from a Letter, from the Under Secretary to the Government of Bengal, to the Register of the Sudder Court, No. 2002, *dated* 31*st October*, 1853.

Judicial.

Para : 1. I am directed by the Most Noble the Governor of Bengal, to forward the accompanying Extract, (Para 6) from a despatch, from the Honorable the Court of Directors, to the Government of India in the Judicial Department, No. 8, of 1853, dated the 17th August, having reference to the inadequate scale, at which the allowances of the Moonsiffs and their establishments, are at present fixed, and to request, that the Court, will favor his Lordship with a report on the subject.

APPENDIX. No. 4.64

Miscellaneous Papers respecting Moonsiffs, Estab^ts in Bengal

No. 63.

Calcutta, Moonsiffs' Office, C. T. Buckland. Esq.

FROM

The Register of the Sudder Dewanny Adawlut.

To

CECIL BEADON, Esq.,

Secy. to the Government of Bengal.

Fort William, the 13th January, 1854.

SIR,

Sudder Dewy. Adt.
PRESENT.
A Dick, Esquire.
Sir R. Barlow, Bart. and
J. Dunbar,

A. J. M. Mills, and
T. H. Raikes, Esquires,
Judges, and
B. J. Colvin, Esq.,
Offg Judge.

I am directed by the Court, to acknowledge the receipt of Mr. Offg. Under Secretary Pratt's letter, No. 2002, dated 31st October, with its enclosures, requesting the Court to report on the present inadequate scale of the allowances, fixed for Moonsiffs and their Establishments.

2. The Court have the satisfaction to state, that at the time when these orders were received, the subject was prominently before them, and I am directed to forward copy of a Circular letter, issued by them, in order to obtain the opinions of the most experienced Zillah Judges, on the proper strength and pay of a Moonsiffs establishment, and also an abstract of the replies of the several Officers to that Circular.

3. With reference therefore to the encouragement held out by the Despatch of the Honorable the Court of Directors, the Court have now the greater confidence, in recommending, that an increase be sanctioned in the allowances of both Moonsiffs and their establishments, which have long been generally acknowledged to be quite inadequate. Although when the Code of procedure is revised, the Court anticipate, that it may again be necessary to remodel the Moonsiffs establishments, they are of opinion, that this should not stand in the way, in striking as soon as possible at the root of such an admitted evil. They quite concur in Mr. Colvin's remarks, that, (with reference to their inadequate remuneration) the state of the Moonsiffs Omlah, is a crying reproach, and Mr. Mills observes, that in his inspection reports, he also brought this subject to the notice of Government.

4. The Court consider, that the Salary of the Moonsiffs, is much too low, with reference to the present constitution of the Office. The position of the Native Judges has been considerably altered, since the scale of their allowances was fixed. Some of them are now invested with a limited jurisdiction in Criminal matters, and the Court

Calcutta, Moonsiffs' Office, C. T. Buckland, Esq.

believe, that it is proposed to extend this system. The Moonsiffs have to decide a very large number of suits; they are held in greater estimation by the Native community, than they used to be, the scale of qualification necessary to obtain the Office, has been raised, and it is but just in the opinion of the Court, that their salaries should now be increased, and rendered more substantial and independent. A higher rate of emolument, would attract a still higher class of men, and would be a stimulus to improvement in the existing one.

5. With regard to the amount at which the Salary of a Moonsiff should now be fixed, Messrs. Dick, Mills, Raikes and Colvin, would propose, that the pay of a Moonsiff of the ordinary grade, should be 200 Rupees, with a higher grade, corresponding with the present first grade, at 250 Rupees, and as a necessary consequence, the pay of the Sudder Ameen, should be raised to 300 Rupees.

6. Sir Robert Barlow, would fix the Salary of all Moonsiffs, at not less than 250 Rupees, whilst Mr. Dunbar, proposes to establish two grades, the lower with a Salary of 150 or 175 Rupees, and the higher, with a Salary of 200 or 225 Rupees, that of Sudder Ameen, being increased to 300 Rupees.

7. With regard to the strength and Salary of the Moonsiffs Establishment, the majority of the Court, concur in the scale suggested by Mr. J. R. Colvin, in the note recorded by him in this subject, before he left the Court.

	Rs.
Sherishtadar and Record keeper	16
Roobakaree Novees...	10
Two Mohurrirs at 8...	16
Two do. at 6...	12
Stationery allowance...	10
Total... ...	64

This arrangement would, the Court observe, hold out the hope of gradual promotion, from the lowest class, to each of the Omlah employed. At the same time, every Moonsiff should be strictly prohibited, from the mischievous practice of altering either the scale of allowances, or the number of his Omlah.

8. At the suggestion of the Judge of Cuttack, the Court also recommend, that the Registry Books required by the Moonsiffs, as well as the binding of the Government Gazettes, should be provided at the expense of Government, through the Judges Office, independently of the allowance for Stationery.

9. Mr. Binny Colvin observes, that a Moonsiffs Establishment, has actually as

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Miscellaneous Papers respecting Moonsiffs, Estab^ts in Bengal

much work to perform, as that of a Sudder Ameen. He would therefore equalize their pay, that of a Sudder Ameen's Establishment being now 80 Rupees. He also observes, that this proposition was submitted to Government, in the Court's letter, No. 523, dated the 14th April, 1848, in reply to which, the Government held out hopes, that the recommendation might be complied with, at a more propitious time.

Calcutta, Moonsiffs' Office, C. T. Buckland, Esq.

I have, &c.,

(Signed) C. T. BUCKLAND,

Register.

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APPENDIX. No 46

Miscellaneous Papers respecting Moonsiffs Estab^ts in Bengal

Extract from a Report, from Mr. J. Dunbar, of the District of Jessore, dated 1st March, 1854.

Bengal Moonsiffs, C. T. Buckland, Esq.

Para 67. The pay of the officers on the Moonsiffs' Establishment, is quite inadequate and unreasonably low, some of them do not get even so much as can be earned by a common Coolie. This subject also attracted the notice of Mr. Mills and Mr. Colvin, during their respective tours, and it is to be hoped that something will be done to cure the evil before long. The Moonsiffs at present, get Rs. 30 per mensem for Establishment and so* (sic) for stationery. I think it would be nearer a fair mark were the amount to be doubled.

List of Establishment of the Moonsiff of Noabad Zillah Jessore and their Salaries.

Sheristadar....	8	0	0
Peishkar.....	5	0	0
Mohafiz.....	3	0	0
Decree Novees.	2	8	0
Mohurrir.....	2	8	0
Perwanna Novees.	2	8	0
2nd Mohurrir..	2	8	0
3rd Mohurrir..	2	0	0
Duftery.....	2	0	0
	30	0	0
Stationery.....	10	0	0
	40	0	0

(True Extract)

(Signed) W. GORDON YOUNG,

Under Secy. to the Govt. of Bengal.

Extract from a Resolution, by the Most Noble the Governor of Bengal, on Mr. J. Dunbar's Report of the District of Jessore, dated 1st March, 1854.

Para 67. Paragraph 67 will be considered with the general question of increasing the sum allowed to Native Judges for Establishment now before the Government.

No. 852.

Copy of the above Extract and of Paragraph 67 of Mr. Dunbar's report therein referred, forwarded to the Judicial Department of this office, for consideration.

By order, &c.,

(Signed) W. GORDON YOUNG,

Under Secy. to the Govt. of Bengal.

FORT WILLIAM,
The 21st April, 1854.

(True Copies)

C. T. BUCKLAND,

Secy. to the Govt. of Bengal.

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* Query, for so read 20.

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APPENDIX. No. 46.

Miscellaneous Papers respecting Moonsiffs, Estab^ts in Bengal

NOTE.

Bengal Moonsiffs, C. T Buckland, Esq.

By the Secretary to the Government of Bengal, dated, 17th February, 1854.

The inadequate allowances of Moonsiffs and their Establishments, especially of the latter, has long been a subject of regret, and Messrs. Mills, Colvin, and Jackson, have each noticed the subject prominently in their late reports. A despatch having been lately received from the Honorable Court, expressing a hope that a remedy for this evil might soon be devised, the Sudder Court were requested to report on the subject.

It appears from the reply, that before the receipt of these orders, they had already called for the opinions of the more experienced Judges on the subject, and an abstract of the replies from these Officers is now forwarded.

The majority of the Court are in favor of raising the present allowance of Rupees 40, for Establishment, to Rupees 64, inclusive of Rupees 10 for Stationery, and to distribute the amount in the manner shewn in the margin, the Moonsiffs being prohibited from altering the scale of allowance to the several Officers, or the number of those employed, as they have hitherto done. It is also proposed to raise the Moonsiff's present salary, from Rupees 100 to Rupees 150 in the two grades to Rupees 200 and Rupees 250 respectively, and, as a necessary consequence, to raise the pay of the Sudder Ameen, to Rupees 300.

	Rs.
Sheristadar	16
Roobkar Novees	10
2 Mohurrirs at 8	16.
2 do. at 6	12
Stationery allowance	10
Total Rupees.	64

Though the question of raising the salary of the last named Officers was not noticed by the Honorable Court in the present despatch, the propriety of raising the allowance of both the Moonsiffs and Sudder Ameens has long been felt by Government, and was only postponed with reference to financial difficulties in the year 1848.

Both classes of Judges have been invested with greatly enhanced powers and increased duties since their present scale of allowances was originally fixed, besides which, the Sudder Ameens are now almost every where, and the Moonsiffs frequently invested with the powers of a Magistrate. It seems to me, that the Courts' propositions do not go far enough, and that the present opportunity might be taken, generally, to revise the salaries of the Native Judges, and put them on a scale more in accordance with the importance of their duties, and the position the Government would desire, that they should hold in Native Society.

At present their numbers and emoluments are as follows.—

			Rs.
9	Principal Sudder Ameens	at 600 - -	5,400
25	do do	at 400 - -	10,000
29	Sudder Ameens -	at 250 - -	7,250
50	Moonsiffs - -	at 150 - -	7,500
147	do - - -	at 100 - -	14,700
260	- -	Total per Mensem. -	44,850
		per Annum. -	5,38,200

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Miscellaneous Papers respecting Moonsiffs, Estab in Bengal

Bengal Moonsiffs, C. T. Buckland, Esq

That is to say, the average monthly salary of each Native Judge is 172 Rupees 8 annas, nearly three fifths of the whole number receive only Rupees 100, and the number in the highest grade receiving the highest salary of Rupees 600 a month is less than four per cent. of the whole.

With the concurrence of the Government of India, His Lordship has recently revised the salaries of the subordinate Executive service, in the Revenue and Judicial Departments, and fixed them on the following scale.—

1st Class	...	1 at 700	...	700 Rupees.
2nd Class	...	9 at 600	...	5,400
3rd Class	...	15 at 500	...	7,500
4th Class	...	20 at 400	...	8,000
5th Class	...	25 at 300	...	7,500
6th Class	...	30 at 200	...	6,000
		Total 100 per Mensem.		35,100
		per Annum.		4,21,200

giving an average Monthly salary of Rupees 350 a Month to each Officer. The average Salaries of the Native Judges, ought not to be less than this.

Adopting the same scale, and the same proportion of Officers in each class, and assuming the requisite number of Native Judges to be 250, to which it is now, under arrangements adopted by the Sudder Court, in process of reduction, the following would be the result.

1st Class	...	3 at 700	...	2,100
2nd Class	...	20 at 600	...	12,000
3rd Class	...	40 at 500	...	20,000
4th Class	...	50 at 400	...	20,000
5th Class	...	60 at 300	...	18,000
6th Class	...	77 at 200	...	15,400
	Total...	250 per Mensem...		87,500
		Per Annum...		10,50,000

giving an average Monthly salary of Rupees 350 to each Judge.

The grade of Sudder Ameen is useless and should be abolished. Its abolition was recommended to the Government of India some few years ago, coupled with a proposal to devote the salaries of the Sudder Ameens, to the augmentation of the salaries of the Moonsiffs. The plan was supported by the Government of India, but rejected by the

Bengal Moonsiffs, C. T. Buckland, Esq.

Court of Directors on purely financial grounds. The Court had no objection to abolish the Office of Sudder Ameen, but it objected to increase the salaries of the Moonsiffs, and consequently, the useless office of Sudder Ameen has been retained, as a means of promoting Moonsiffs, nearly every Sudder Ameen being made a Moonsiff also, in order to give him something to do.

The 250 Native Judges would therefore, on this plan, be divided into six classes, as respects salary, but into only two classes, as respects powers and functions, namely Principal Sudder Ameens and Moonsiffs, though I think, that more suitable designations might be found for them. All those drawing Rupees 700 and Rupees 600 a month, and as many of those drawing Rupees 500 a month, as might be required to make up the number, would be principal Sudder Ameens. The remainder would be Moonsiffs. And to Moonsiffs drawing such salaries might, with all safety and confidence, be entrusted a regular jurisdiction on original suits up to Rupees 1,000 in value, (the present limit for a Sudder Ameen), and a summary, or small cause jurisdiction, in cases of debt and damage, up to Rupees 100.

The financial effect of this change, will of course be to throw large additional expense upon the exchequer, which cannot be met by a reduction of charge in any other quarter. The monthly expenditure in salaries, will be increased from Rupees 44,850, to Rupees 87,500, the difference being Rupees 42,650 a month, or Rupees 5,11,800 a year. That the object to be attained, the purification of the administration of justice, is worth the outlay, will not, I think, be questioned. The only point to be determined, is, whether the Government can afford it.

The question as to the pay for the Moonsiffs Establishment, has now to be considered.

The circumstances of the several Courts throughout these Provinces, are not precisely the same. In one, the work is nearly twice as great as in another, either from the extent of jurisdiction, population, or the fact of the Officer having, or not, to try criminal cases in addition to his Civil duties.

The Court, as observed above, proposed one scale, both for Omlah and Stationery, but the recommendations of the different Mofussil Judges differ very widely, each of course having based his recommendation on the circumstances of the Courts in his own District, so that it is not improbable, that while the Courts' scale might be sufficient (and more than enough in the allowance of Stationery) in some Districts, it would be quite insufficient in others. Connected with this, is the recommendation of one of the Sudder Judges, Mr. B. Colvin, who calls attention to the fact, that a Moonsiff's Establishment has actually as much work to perform, as that of a Sudder Ameen, and recommends on that account, that the pay of the Omlah in both cases should be equalized, and the allowance for Moonsiff's Establishments be raised to Rupees 80. This proposal was made by the Sudder Court in 1848, and as before said, only then not adopted in consequence of the state of the finances. Indeed, the question of giving sufficient allowances to the Omlah, is almost more important than that of increasing the pay of the Native Judges.

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Bengal Moonsiffs, C. T. Buckland, Esq.

The Scale proposed by the Court, provides for an allowance of Rupees 16 to the highest Officer in the Court, and Rupees 6 to the lowest class of Writers.

It is exceedingly doubtful whether these Courts, however high the character of the Judge, can ever gain the full confidence of the people, or be free from corrupt action on the part of the subordinates, until higher allowances are given than those now mentioned.

A salary of Rupees (6) to men who must be persons of some education, and who are surrounded by temptation to corrupt practices, is less than that of menial Servants. The proposed pay of the Sheristadar is equally insufficient for the due respect and responsibility attaching to the head Officer of the Court, and insufficient to place him above all suspicion of being amenable to corrupt influence. Even this allowance is little more, than what many Gentlemen in this Country pay their kitchen servants.

All this difficulty would be removed, by obtaining the sanction of India to an Establishment of Rupees 80 for each Moonsiff, and it might then be left by the Court, to arrange, in communication with the Mofussil authorities, the lowest amount required for each Court, according to its circumstances, on the understanding however, that no one should receive less pay than 8 Rupees, and no Sheristadar less than Rupees 20.

As there would be 187 Moonsiffs Courts, in which the monthly cost of the Establishment, would have, under the above view, to be raised from Rupees 40, to Rupees 80 a month, the monthly maximum increase of outlay involved in the plan, is Rupees 7,480, or Rupees 89,760 a year.

(Signed) CECIL BEADON,

Secretary to the Government of Bengal.

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Miscellaneous Papers respecting Moonsiffs, Estab.ts in Bengal

Minute by the Most Noble the Governor of Bengal, dated, 26th April, 1854.

Bengal Moonsiffs. C. T. Buckland, Esq.

Native Judicial Officers in Bengal.

1. Six years ago, the total inadequacy of the salaries allotted to Native Judicial Officers in the Lower Provinces, was strongly pressed upon my attention. The evil was not to be doubted, nor could it be denied. The only remedy lay in a large augmentation of those salaries; but the financial position of the Government, in the presence of formidable war at that moment, forbade this addition to the public charges being sanctioned, however urgent the necessity for it had been shewn to be.

In the interval, the inadequacy of the remuneration of Judicial Officers has been repeatedly and forcibly represented, and although the enquiry that was some time since set on foot, to ascertain the estimation in which the integrity of Native Judges was *(held)* by the Community in this Presidency, was creditable in its results to that class of Public Servants, yet it is impossible for the Government to feel that it has done all that it ought to do, towards setting the Native Judges above the temptation of betraying their trust, so long as it keeps nearly 3-5ths of the Native Judges of Bengal, on a salary of no more than 100 Rupees a Month.

2. The time has now come, when the state of the Public finances can no longer be alleged as a bar to the introduction of this vital improvement in the administrative system of Bengal. The Secretary was therefore requested to prepare a scheme for re-adjusting the salaries of Native Judicial Officers and their Establishments. This scheme is before me now in the note of the Secretary, where the details are fully explained.

3. To this scheme as a whole, I cordially assent, one or two points may seem to require alteration.

4. I entirely approve of the principle on which the sum of 200 Rupees a Month, has been fixed as the minimum salary for a Moonsiff; I think the principle is sound of dividing the Judicial Officers into classes; thus affording an opportunity to them, to earn advantage and distinction by merit, and ensuring that exertion must be made in order to earn advancement at all.

But I think, it would be better to avoid a classification, by which a Principal Sudder Ameen, the higher grade of Officers, and a Moonsiff, the lower grade of Officers, would both be found in the same class and on the same pay; I think that the nomination to be a Principal Sudder Ameen, should carry with it increase of pay, simultaneously with increase of rank and extension of Jurisdiction.

On these grounds, I would modify the scale proposed in the note to the following extent, so as to include all Principal Sudder Ameens in the two first classes.

1st	...	5	Principal Sudder Ameens	at	700
2nd	...	25	Principal Sudder Ameens	at	600
3rd	...	35	Moonsiffs	at	500
4th	...	50	„	at	400
5th	...	60	„	at	300
6th	...	70	„	at	200

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Bengal Moonsiffs, C. T. Buckland, Esq.

The financial result of this modified scale, will be as nearly as possible, the same as that in the note.

5. The cost of this augmentation of judicial salaries in Bengal, will undoubtedly be very large, probably exceeding five lacks of Rupees a year, and it must not be concealed, that this sum represents not more than half the ultimate cost; for the measure so urgently needed in the Lower Provinces, will be found not less necessary in the other Provinces also.

But the Government has the means of meeting this charge. It is just now completing a financial operation which will relieve (it) to the extent of about thirty lakhs a year. It has in its hands the means of still further reducing the public debt when it pleases.

It is very true, that there are many other demands upon the annual saving thus to be effected. But there are none of greater primary importance, than the increase of the salaries of Native Judges; for the longer continuance of the poor pittance to which we (have) heretofore been compelled to limit them, would convert an avowed imperfection into an open and deserved reproach.

6. Much will have been done when the increase of salaries now proposed for the whole body of Native Judicial Officers shall have been conceded. But more will still remain to be done.

The British Government rules in India by virtue of the conqueror's power, I cannot foresee the time, when it shall stand in any other attitude, or be viewed by the Natives of the soil in any other light. Consequently, I cannot contemplate the arrival of a period, at which it will be safe or wise, to place the great executive and administrative Offices in the hands of any other than British Officers.

At the same time, it is a cause of constant regret to me, that there do not exist in the public service some Offices of large emolument and high position, to which Native Gentlemen of character and ability might rise, so that the office and pay of Principal Sudder Ameen, should no longer be the boundary of a Native Gentleman's ambition in the British Service.

Two years ago, I took one step towards the end to which I have been pointing, by promoting Baboo Nurrochunder Ghose, to the office of Junior Magistratate of Calcutta. More recently, I have appointed Nogendemath Tagore, a son of the late Baboo Dwarkanath Tagore, to be an Assistant to the Collector of Customs, an Office always previously held by a member of the Civil Service.

These however are but small beginnings, and I think a wider scope should be given for the application of the sound principle, I have endeavoured to bring into operation.

7. While the discussions on the Act for the Government of India, during 1852, were in progress, I took the liberty of expressing demi officially my personal opinion, that the new Legislative Council, might with advantage include one member, who should

be a Native of India. No such provision was included in the Act, and the actual wording of it, practically renders it impossible, for the present, that any Native of India should be nominated a Member of the Legislative Council by the Governor General or by others ; I regret that this should be so.

Bengal Moonsiffs, C. T. Buckland, Esq.

8. Whether the Legislative Council be opened to Native Gentlemen or not, I beg very strongly to recommend for the favourable consideration of the Government of India, the propriety and expediency of having one Native Judge on the Bench of the Sudder Adawlut.

I believe it will be found before long, that an additional Judge in the Sudder Court will become requisite, when the opportunity might be taken of adding a Native Judge to the Bench ; now if the increase of members should not be found indispensable, I would still recommend that one of the members should hereafter be a Native Judge.

The functions and the jurisdiction of the Native Judge of the Sudder Court, should generally be the same as those of the European Members of the Court. His salary should naturally be less.

Following up this proposal, I would further recommend for the favorable consideration of the Government of India, that a certain number of the Principal Sudder Ameens, should receive a special rate of salary, in the same manner, as it was recommended in a recent minute, that a certain number of the Zillah Judges, should receive a higher rate of pay, than the rest of that class.

The object of this proposal, is partly to afford the advancement for Native Officers, which I have stated is so much wanted, and partly as in the case of the Zillah Judges, to improve the means of selection for the higher office of Judge of Sudder Court, which it has now been proposed to throw open to the Native Judges below.

The number of those to whom the special salary is to be given, may bear the same proportion to the number of Principal Sudder Ameens, as the number of European Judicial Officers who shall receive the high salary, may bear to the whole number of Zillah Judges.

The rate of such special salary for certain Principal Sudder Ameens, should bear such proportion to the salary of the European Zillah Judge, as the salary which may be fixed for the Native Judge of Sudder Court, may bear to the salary of a European Judge of that Court.

10. These Officers of higher grade, will be but few in number, nevertheless, the Establishment of them would I am persuaded, have a beneficial effect. I trust therefore, that the proposal may meet with the approval of the Government of India.

(Signed) DALHOUSIE.

26th April, 1854.

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APPENDIX. No. 470

Miscellaneous Papers respecting Moonsiffs, Establishments in Bengal

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No. 1315.

Bengal Moonsiffs, A. W. Russell, Esq. Offg. Register.

To

The Commissioner for the Revision

of Civil Salaries and Establishments

throughout India.

SIR,

Sudder Dewy. Adt.
PRESENT.
H. T Raikes,
B. J. Colvin, and
J. H. Patton, Esquires,
Judges and
J. S. Torrens, Esq.
Offg. Judge.

The Court, having had before them your letter, No. 220, dated the 3rd June last, direct me to forward to you copies of the minutes recorded by the Judges respectively, on the subject of increased allowance for establishments of Moonsiffs, as a means of reducing their number.

I have the honor to be, Sir,

Your most Obedient Servant,

A. W. RUSSELL,

Officiating Register.

FORT WILLIAM,
The 28th August, 1856.

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APPENDIX. No. 471 to 473

Miscellaneous Papers respecting Moonsiffs, Estab.ts in Bengal

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Bengal Moonsiffs, A. W. Russell, Esq. Offg. Register.

Minutes by the Judges on letter, No. 220, dated 3rd June 1856, from the Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Mr. H. T. Raikes.—I understand this matter to be entirely distinct from the question regarding the revising of Moonsiffs' Salaries. Mr. Ricketts only asks to be informed, whether, if the allowance to Moonsiffs were increased to 80 Rupees, the number of Moonsiffs could be decreased. This I consider, is not feasible to any such extent as would in itself support the proposition.

The increase of allowances to Moonsiffs for their Establishment has been advocated, on the ground that such increase was absolutely necessary to place those establishments on an efficient footing to perform the duties *now* required of those Officers. An increase of the allowances, attended with a decrease of the Moonsiffs, would I anticipate, have no permanent results. These officers are now extensively employed in Criminal duties, some of them having the full powers of Magistrates, and the assistance they are expected to give in this line, already trenches upon the due performance of their Civil duties. It is only in thinly populated tracts of the country, that any reduction could be made, and the necessity of bringing these Courts within reasonable reach of those who have recourse to them, would then, as now, prevent their abolition.

(Signed) H. T. RAIKES,

Judge.

15*th August*, 1856.

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Mr. B. J. Colvin.—I think as an abstract proposition, that the increase of Moonsiff's Office allowances, would enable them individually to do more work, but whether the number of Moonsiffs can be reduced is quite another question. Every day their duties are being added to. Experience can alone shew, whether reduction can be effected as suggested.

(Signed) B. J. COLVIN,

Judge.

16*th August*, 1856.

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Mr. J. H. Patton.—I concur in the views recorded by my colleagues.

(Signed) J. H. PATTON,

Judge.

19*th August*, 1856.

APPENDIX. No 4.74

Miscellaneous Papers respecting Moonsiffs, Establishments in Bengal

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Mr. J. S. Torrens.—I think the number of Moonsiffs generally is too great, and of course a diminution of that number, would be a means of adding to the salaries of the establishments retained.

Bengal Moonsiffs, A. W. Russell, Esq. Offg. Register.

(Signed) J. S. TORRENS,

Officiating Judge.

(True Copies.)

A. W. RUSSELL,

Offg. Register.

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APPENDIX. No 475

Miscellaneous Papers respecting Moonsiffs Estab.ts N.W.P

No. 1045 of 1856.

Sudder Court, Agra, H. W. Dashwood, Esq.

To

The Commissioner for the Revision

of Civil Salaries and Establishments

throughout India.

SIR,

S. D. A. N. W. P.
Present
H. B. Harington
and
H. Unwin,
Judges.
and
C. Raikes,
Offg. Judge.
} Esquires.

I am directed to acknowledge the receipt of your letter, No 219, of the 3rd Instant, requesting the opinion of the Court, as to whether, if the allowance to the Moonsiffs for their Omlah, &c. be increased to 80 Rupees per mensem, it might not be followed by a reduction in the number of Moonsiffs.

2nd. In reply, the Court desire me to say, that the question of an increase to the allowance assigned to the Moonsiffs for their Ministerial Establishments and Stationery should, in their opinion, be considered on its own merits alone, and irrespective of the question of the practicability, or otherwise, of reducing the number of this class of Native Judges, with which they do not consider it to have any necessary connection.

3rd. In so far as the Court are aware, it has never been made the subject of complaint that the number of Ministerial Officers employed in the Moonsiffs Courts is too small, but rather that the Salaries assigned to them are not sufficient. So far back as the year 1840, it was brought to the notice of the Court, that, in order to relieve themselves as much as possible from all work, which it was not absolutely necessary for them to perform with their own hands, the Moonsiffs were in the habit of creating a number of subordinate Offices, to the holders of which they assigned small Salaries of 4 or 5 Rupees per mensem, which sum was obviously inadequate to the maintenance in any degree of comfort and respectability of the individuals employed, and there could be little doubt, therefore, that the appointments were accepted, not for the Salaries attached to them, but for the opportunities which they afforded of making money in various ways, none of which were strictly honest.

4th. The same state of things was found still to exist by Mr. Harington, on the occasion of his late Tour of inspection, and it will continue to be the case, until an adequate allowance is made by the Government to the Moonsiffs, for their Establishments and Stationery.

5th. I am directed to add that, in all the propositions which have, from time to time, been made to, or by the Court, for the improvement of the position of the Moonsiffs in the respect under consideration, an increase to the number of their Ministerial Officers has never been contemplated or advocated. That number already ranges from 5 to 9 or 10, the average being about 6. Five, including the Nazir, is the limit proposed by Mr. Harington, in his Report of his Tour, an Abstract (Paras 466—471) from

Sudder Court, Agra, H. W. Dashwood, Esq.

which, I am directed to append to this letter, and as this number is below the existing average, it must be obvious that, if Mr. Harington's suggestions, which are concurred in by the other Judges of the Court, are adopted, the proposed addition to the allowance now made to the Moonsiffs for their Establishments and Stationery, will not lighten their duties, though it will enable them to command the services of a better class of Officers, and that, consequently, there is no reason to suppose that the proposed addition, will, of itself, justify any reduction in the number of Moonsiffs at present on the Establishment, a measure always of doubtful expediency, considering the distance to which it frequently places Suitors for their Local Civil Courts, which is already found, in some instances, to amount almost to a denial of justice, especially in the case of the poorer classes.

6th. It may further be remarked, in connection with the subject under discussion, that the tendency of all recent Legislation has been to add to, rather than to diminish from, the personal labors of the Moonsiffs. Acts XII of 1843 and XXXIII of 1854, require them to write with their own hands every decision, sentence, or final order passed, as well as the points to be established by the parties respectively, while, under the operation of the stringent rules laid down in Act XIX of 1853, the presiding Judge of every Court is compelled to give his undivided attention to the case before him, and instead of allowing the examination of the witnesses in two or more cases, to be going on at the same time, which was formerly the general practice, he is required personally to superintend the examination of each witness.

I have the honor to be, Sir,

Your most Obedient Servant,

H. W. DASHWOOD,

Register.

AGRA,

The 24th June, 1856.

APPENDIX. No. 435

Miscellaneous Papers respecting Moonsiffs Estab^ts N.W.P.

Extract Paras. 466—471 *of Mr. H. B. Harington's Report upon his Tour of Inspection of the Civil Courts of the N. W. Provinces, made during the cold Season of* 1854-55.

Sudder Court, Agra, H. W. Dashwood, Esq.

Para. 466.—The Native Judges are very frequently blamed for the number of Subordinate Officers on their Establishments, notwithstanding the inadequacy of the Salaries to which they are in consequence obliged to limit them, and for introducing so many of their own dependents and connexions into the appointments, but the fact is, they are driven to the former, by the heavy ministerial duties of their Courts, and to the latter, not only by the natural desire to provide for those who have claims of relationship, or otherwise, upon them, but because they can always induce men, so circumstanced, to accept the appointments on smaller Salaries than Strangers, particularly as they often live with their employers, which, however desirable for the Officers themselves, is a most objectionable arrangement, and should be discouraged as much as possible.

Para. 467.—Indeed, if adequate allowances were assigned to the Moonsiffs for their Establishments, I should strongly recommend that the appointment of their Ministerial Officers, should be taken altogether out of their hands, and vested in the Zillah Judge, and that no relative, or dependent, of any Native Judge, should, under any circumstances, hold office under him.

Para. 468.—As an instance of what is done to make income and expenditure meet, I may mention that I found the Record keeper, in one of the Moonsiff's Courts, receiving 6 Rupees per month for Salary, and a monthly allowance of 2 Rupees 6 Annas for supplying the Stationery required in certain Departments of the Court to which he was attached. He assured me, (and I had no difficulty in believing him) that he lost 2 Rs. a month by the contract, which reduced his actual Receipts to 4 Rs. a month.

Para, 469.—To determine what would be an adequate allowance, to enable the Moonsiffs to provide themselves with suitable Establishments for conducting the Ministerial duties of their Courts, including Stationery, we need only take the sum received by the Sudder Ameens for our guidance. The sum allowed to the Moonsiffs is 40 Rupees; that to the Sudder Ameens, is 80 Rupees per mensem, which is exactly double.

Para. 470.—Increasing the allowance of the Moonsiffs to the latter sum, which has not been found to be more than is necessary to secure efficiency in the Courts of the Sudder Ameens, I would distribute it as in the margin.* With this Establishment, I think the duties should be efficiently performed, and the Salaries assigned would enable the different Officers to maintain themselves respectably and comfortably, and they would have no excuse for taking bribes, or exacting presents from the parties or witnesses, for it is, I believe, rather in the latter than in the former way, that their depredations on the Public are committed.

	Rs.
Serishtadar	20
Nazir	20
Mohurrir	10
Mohurrir	10
Do.	10
Stationery	10
Rupees	80

Para. 471.—The sum which I have put down for Stationery, is scarcely sufficient

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Miscellaneous Papers respecting Moonsiffs Estab.ts N.W.P.

Sudder Court, Agra, H. W. Dashwood, Esq.

to supply all the wants of a Moonsiffs Court under this head, but I think it might be made to do so, by the extension to other Departments, of the liberality lately exercised by Government in regard to Subpœnas to witnesses, and other processes issued under the provisions of Act XIX of 1853 These are now lithographed at the cost of Government, and supplied GRATIS to the Native Judges, to whose Establishments the relief which it affords is incalculable. What I would suggest is, that whatever papers in common use in the Courts of the Native Judges admit of being lithographed, such as Notices to Defendants, Proclamations, Bills of Sale, and the like, should be lithographed and supplied at the expense of Government, and that the Books, which the Native Judges are ordered to keep up, as well as the periodical Statements, required of them, should also be lithographed and supplied in the same manner. Were this done, the sum which I have put down for Stationery would, I believe, be found ample, and the Native Judges would thus be relieved from the necessity, which I have reason to know is not uncommon amongst them, of making up from their own limited resources what is wanting in the sum available from the Government allowance for Paper, &c.

(True Extract.)

H. W. DASHWOOD,

Register.

APPENDIX. No. 476

Miscellaneous Papers respecting Moonsiffs Estab.ts N.W.P.

No. 1579 of 1856.

Sudder Court, Agra, H. W. Dashwood, Esq.

To

The Commissioner for the Revision

of Civil Salaries and Establishments

throughout India.

SIR,

I am directed to acknowledge the receipt of your letter, No. 376, dated the 19th Ultimo, requesting a further expression of the opinion of the Court, in reference to the circumstances therein stated, as to the possibility of effecting a reduction in the number of Moonsiffs employed in these Provinces, in the event of an increase being made to the Monthly sum now allowed to those Officers for their Ministerial Establishments and Stationery, and in reply, to remark as follows.

S. D. A. N. W. P.
Present.
H. B. Harington
and
H. Unwin,
Judges.
and
C. Raikes,
Offg. Judge.
} Esquires.

2nd. In your present letter it is stated, that when you were on a Tour of inspection in Bengal, you found that many Moonsiffs, indeed nearly all, never disposed of any Suits during the first week in each Month ; that some were idle for 10 days, some for a fortnight, and that you were assured, that during those days, the Officers of the Moonsiffs Establishments, being employed in preparing the Monthly Statements, and in writing up all the decrees and orders of the previous Month, the hearing and decision of cases was impracticable, and thinking it possible that the same practice prevails in these Provinces, you observe that if, by an increase of their Establishments, the Moonsiffs were enabled to work throughout the Month, instead of for 18 or 20 days only, the proposition contained in your former letter, that a reduction might be made in the number of Moonsiffs, would not appear to be unreasonable.

3rd. The Court have, of course, no means of knowing what is the case in Bengal, but they have no reason to believe that the practice, described by you as systematically pursued in the Lower Provinces, is, at present, at all generally followed in the Districts under their control.

4th. To bring the matter, however, to the test suggested by yourself, the Court, immediately on the receipt of your letter under reply, sent to the record room of the Judge's Court at Agra, for the last Quarterly Returns received from the Moonsiffs of that District, containing the journals of their daily work, as prescribed by the Circular Orders of the 14th October 1847. The original Returns forwarded to the Court, in obedience to their requisition are enclosed, and the Court think, that you will agree with them, that they exhibit the work to be fairly distributed over the whole Month, and not to be confined to any particular period.

5th. The Court have not judged it necessary, to send for similar Returns from

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Miscellaneous Papers respecting Moonsiffs Estab^t N.W.P.

Sudder Court, Agra, H. W. Dashwood, Esq.

the other Districts under this Government, as they have no ground to suppose, that a different practice obtains in them, from what is shown to be the case at Agra, and they are of opinion, that the returns, herewith sent, may be accepted as affording a fair sample of what is the general practice in the Moonsiffs Courts in these Provinces.

6th. The Court do not know at what particular period the Tour referred to in your letter was made, but they are well aware that, formerly, from the want of proper supervision on the part of the District Judges, and from the numerous and heavy Statements, which the Moonsiffs were required to prepare and submit at the commencement of each Month, little Judicial work was performed by those Officers in the earlier part of the Month, and that their decisions, in Regular Suits especially, were crowded into the last few days, there being a very general opinion prevailing, that so long as their Monthly Statements exhibited a fair number of Regular Decisions on the merits, or, at least, if the number so disposed of did not fall short of the prescribed minimum, which was 25 Suits per Mensem, no enquiry would be made as to the particular part of the Month in which the cases were heard and decided, and so far back as the year 1840, the Court find the following remarks in a Report, submitted by Mr. Harington, upon the administration of Civil Justice in the District of Goruckpoor, during the preceding year, when he officiated as Judge of that Zillah.

"My opinion on this point, is formed, partly from my own observations, and the "enquiries which I have made, but, principally, from an examination of the Statements "of the daily quantity of work performed, which, under the Courts Circular Orders of "the 13th October 1837, the Moonsiffs are required to keep up, and which, as regards "several of those Officers, shew, that the greater part, and sometimes the whole of "their decisions in Regular Suits, were passed during the latter half of the Month."

"I gave the Court a remarkable instance of this, in the case of Cazee Imdad Ho-"sein Khan, the Moonsiff who was dismissed at my recommendation, and whose daily "Statement of work for a period of 17 Months, in which 458 Suits were disposed of, "shows, that not a single case was decided in any one Month before the 8th; only "three on that date in one Month; the same number in another Month on the 9th, "and four in another Month on the 10th; that in the whole period, only 59 Cases or "1-8th, were decided by the 17th, and 144, or less than one third, by the 20th, while "314, or nearly 3-4ths, were decided during the last 6 days, and 165, or about 2-5ths, "an immense proportion, on the last day or two."

"In commenting on this circumstance, in my Report to the Court, I observed, that "it was exceedingly curious to remark, how exactly the Moonsiff was able frequently to "complete on the last day of the Month, the number of cases which he was required to "decide on a trial of the merits without furnishing explanation, which was the more "remarkable during the two Months of February, in which he had experienced no diffi-"culty in deciding his 25 Suits by the 27th of those Months, the 28th of each happen-"ing to be a holiday, and that nearly the same observations applied to the Months in "which the Dusserah and Mohurrum vacations commenced; that, to my mind, it was

"quite impossible to attribute this circumstance to accident, and the only conclusion at "which I could arrive, was, that the Moonsiffs principal aim had been to be able to ex- "hibit in his Statements, the number of Suits on failure of deciding which, he would "have to explain the cause of the deficiency, and that the convenience of the Suitors "in his Court, had been with him entirely an object of secondary consideration, in "other words, of no consideration at all."

Sudder Court, Agra, H. W. Dashwood, Esq.

"At the same time, I am bound to say, that the Ministerial duties of the Moonsiffs "Courts are certainly very laborious, and some of them press very heavily on those "Officers and their Establishments. I refer particularly to the preparation of the "Monthly Statements and Reports, and to the number of Decrees which they are re- "quired to prepare in each case decided by them; first, there is the original decree, "which accompanies the papers to the Judges Court; then two copies have to be pre- "pared within one week from the date of the decree for the parties, and a third copy "is almost absolutely necessary, and is invariably made for the use of the Moonsiff's "Office; thus if a Moonsiff decides only the minimum number of cases prescribed by "the Court, his Officers have to prepare 100 decrees, some of them probably of great "length, that is to say, 25 Original Decrees and 75 Copies, being at the rate of 4 a "day, reckoning the working days of the Month at 25, which is alone amply sufficient "to employ one man, and when the Moonsiff may have decided 30 or 40 Cases in the "Month, the work is of course increased in an equal proportion; the same remark ap- "plies to the final orders, passed by the Moonsiffs in Miscellaneous cases; but as the "parties are allowed to take copies of all orders and decisions passed by the Moonsiffs, "on plain paper, I do think, that they might fairly be expected to pay, themselves, for "the mere cost of copying the same, and I would allow the Moonsiffs to employ copyists, "as Sectioners for the duty; the rate of whose remuneration, to be paid by the par- "ties taking the copies, should be fixed either by the Court, or the Zillah Judge."

"With regard to the Monthly Statements and Reports which the Moonsiffs are "required to furnish, I believe it will be found that, at the very least, 3 days of each "Month are wholly and exclusively devoted to their preparation, to the entire stoppage "and neglect of all other work. Cazee Imdad Hosein Khan, the Moonsiff who was dis- "missed, declared to me without hesitation, as I have already informed the Court, that "the first 5 days of each Month, were invariably spent by himself and his Omlah in the "preparation of the Statements of his Court for the preceding month, that is to say, "1-6, of the month, or two months of the year, which is quite monstrous."

7th. It was with a view to correct the improper practice above mentioned, and to compel the Moonsiffs to be regular in their attendance at their office on all open Court days, and to devote themselves steadily to their work throughout the month, that the Journal of daily work, already referred to, was introduced, and it can scarcely be necessary for the Court to remark, that if this Diary be carefully examined by the Zillah Judges, and compared with the Records of decided cases, which are required to be sent in monthly by the Moonsiffs to the Judge's Record Rooms, any laxity or irregularity in their attendance at Court, cannot long escape detection.

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8th. Furthermore, since the date of the Report of the Officiating Judge of Goruckpoor, the submission of the Registers of cases instituted, pending, and disposed of, in the Moonsiffs Courts, as part of their periodical returns, the preparation of which occupied so much of the time of their Establishments, has been dispensed with, and their statements of work, instead of being sent in Monthly, according to the former practice, are now furnished only quarterly ; relief in other ways has also been afforded to their Establishments, so that there is no longer the same excuse as formerly for their exclusive employment during any portion of the Month, upon any particular duty, to the entire hindrance of all other work.

9th. But while the duties of the Moonsiff's Ministerial Establishments have been lightened by the various measures described in the last Paragraph, the personal labors of the Moonsiffs themselves, as noticed in the Courts letter to your Address of the 24th June last, have been very materially increased by recent Legislative Enactments. As remarked in the communication just referred to, the Moonsiffs are now required to write with their own hands, the proceedings for determining the issues in every Regular Suit, which proceeding, if properly drawn up, is only secondary in importance to, and frequently occupies as much time and thought, as the decree itself, as well as every Regular Decision, giving their reasons at length, for the conclusions arrived at, and all orders carrying with them the fate of the case. Every Witness must now be examined in the presence, and hearing, and under the personal direction of the Moonsiff, so that if this rule be strictly attended to, (and its rigid enforcement has been enjoined on all the Judges, European and Native) it is impossible for two witnesses to be examined at the same time, or for a Judge to give his attention to any other work or case, than the one before him. By the same Law, the Moonsiffs are required, in common with the other Judges, to fix a day for the examination of Witnesses in every Regular case in which oral testimony may form part of the proofs, while, in order to ensure the due observance of this rule, Mr. Harington, in his late Tour, directed the Uncovenanted Judges generally, to suspend a board in their Court rooms, in which, as soon as a day is fixed for hearing the evidence in a case, the number of the case, the names of the parties, the number of witnesses to be examined, and the day fixed for their examination, are put down. A reference to this board, at once shows what cases are to come on, and what days are engaged, and the Moonsiffs are required to fix the first disengaged Court day, for taking the evidence in any new case before them, as soon as the list of witnesses is filed, provided it be sufficiently distant to fulfil the requirements of the Law. It necessarily follows therefore, that unless regularity were observed, and the Witnesses generally examined on the day appointed, whether that day be at the commencement, or the middle, or towards the end of the Month, the whole business of the Court would be thrown into confusion, and instead of the Witnesses being examined and dismissed, on the day appointed for their attendance, which is now generally the case, so much so, that one of the admitted benefits conferred by the new law of evidence is, that while it compels the attendance of the Witnesses, it also secures their punctual and speedy examination, and return to their homes, great delays would arise, and the Moonsiffs would find it impossible to get through the large num-

ber of cases, which are shown, by their periodical Statements, to be disposed of by them.

Sudder Court, Agra, H. W. Dashwood, Esq.

10th. So far from being obnoxious to the charge of indolence, the great industry of the Moonsiffs, as a body, has been repeatedly the subject of commendation, and it has been a matter of surprise to those who have given their attention to the subject, and who have enjoyed opportunities of carefully watching the working of the present system in its details, how this class of Native Judges, can get through the immense quantity of work, which the extent of their jurisdictions, and litigious character of the people, throw upon them.

11th. The Court must, therefore, adhere to the opinion, expressed in their previous communication, that there is no necessary connection between any increase to the sums now allowed to the Moonsiffs, for their Ministerial Establishments and Stationery, and the reduction of the number of those Moonsiffs, and that the practicability of the latter measure, must be considered upon other grounds, than that on which it has been placed by you in the present discussion.

12th. You are requested to return the original enclosure, when no longer required

I have the honor to be, Sir,

Your most Obedient Servant,

H W DASHWOOD,

Register

AGRA,
The 22d August, 1856

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APPENDIX No. 477

Papers respecting the Revenue and Police Departments, Madras.

LONDON,
23rd *August*, 1854.

JUDICIAL DEPARTMENT.

No. 8. *of* 1854.

Our Governor in Council at Fort St. George.

Our attention has been recently called to the arrangements proper to be adopted for the superintendence of the local administration in Bengal, and under the presidency of Bombay. We are led to believe that the system in force under your presidency may also stand in need of revision and improvement.

2. In Bengal, the Collectors and Magistrates of several adjacent districts (generally five or six) are placed under the regular control of a Commissioner, who is responsible for the revenue and police administration within the range of his authority. Changes have been occasionally made in the details of this control, but the principle of subjecting the local officers to such superintendence, is an essential part of the scheme of administration in that presidency. Occasional tours of inspection are also made by the superior authorities, as circumstances render necessary.

3. Under the Bombay presidency, the police system, both village and stipendiary, is at present in a course of revision and reform. In each district a Superintendent of Police has been appointed, who is subordinate to the Magistrate, but is vested with the immediate direction and control of the establishment. The several Collectors (also being Magistrates) are under the control of two Revenue Commissioners, one for the Northern, the other for the Southern Division. Circuits were formerly made by Judges of the Sudder Adawlut for the purpose of enquiring into the police and judicial administration of each district, and it is at present under consideration by what agency it may be most advisable that this duty shall be performed for the future.

4. In your presidency, the Police is immediately under the direction of the Collector, who is also Magistrate.

5. Since the abolition of the provincial Courts of Appeal and Circuit of the Madras presidency, by Act VII, of 1843, no local superintendence has been exercised over the officers intrusted with the administration of justice and police in the several districts. Except in the case of a deputation for some temporary purpose, under Act X. of 1849, no such superintendence has of late years, we believe, been exercised over Collectors and Magistrates, wherever the principle of supervision of superior authority was maintained, although imperfectly, during the continuance of the office of Principal Collector, with two or sometimes three subordinate district Collectors acting under his authority. The control over the local administration is now exclusively in the hands of the Government itself, or the Sudder Adawlut, the Board of Revenue, or the head of some Department, all stationed at the Presidency.

6. We are desirous that you should institute such an investigation as you may judge most advisable for the purpose of ascertaining how far this system, which is peculiar to your presidency, has worked satisfactorily for the public interests. The inquiry has to be conducted under a two-fold aspect—first, with regard to the faithfulness, the diligence, and the efficiency of the local administration; and secondly, with regard to the means possessed by the authorities at the

seat of Government, for obtaining accurate knowledge of the details of that administration, and to the competency of the said authorities, thus situated, for its direction and control.

7. Should defects be found to exist, the next question will relate to the remedy most proper to be applied to them without giving rise to evils of some other kind.

8. The elements of police under the Madras presidency are essentially the same as in other parts of India, consisting of two parts—viz. village officers paid by land exempted from assessment, and succeeding hereditarily to the office; and stipendiary servants paid by Government, and appointed and dismissed by the district Officers. As the Bombay system of placing the establishment under the immediate direction and control of a Superintendent of Police, although still experimental, has been reported to work satisfactorily, we are desirous that you should consider whether a similar arrangement might not be advantageously introduced under your presidency. You may possibly have occasion to refer to the Bombay Government, from whom you will be able to obtain all necessary information.

9. One important consideration is, that of not causing any unnecessary increase of expense, and none, in any case, that will not bring with it an adequate advantage.

10. You will submit the result of your investigation to the Governor General of India in Council, and you will apply for sanction for any modification of the establishments which may seem to you desirable; you will also fully report your proceedings on the subject for our information, and further directions.

We are, &c.

(Signed) J. OLIPHANT.
" E. MACNAGHTEN.
" C. MILLS.
" W. H. SYKES.
" W. L. MELVILLE.
" H. WILLOUGHBY.
" J. H. ASTELL,
" WM. J. EASTWICKE.
" H. T. PRINSEP.
" HENRY WILLOCK.

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APPENDIX No. 477

Papers respecting the Revenue & Police Departments of Madras

No. 763.

JUDICIAL DEPARTMENT.

EXTRACT FROM THE MINUTES OF CONSULTATION,

Dated 20th October 1854.

The Right Honorable the Governor in Council proceeds to pass orders on the letter in this Department from the Honorable Court of Directors, dated 23rd August 1854, No. 8.

Ordered that copy of the above Despatch be furnished to the Court of Sudder Adawlut, and to the Board of Revenue respectively; and that they be requested to submit, at an early date, their opinion upon the operation of the existing system of control over the local adminstration in the several departments of Police and Revenue regarded under both the points of view adverted to by the Honorable Court in Paragraph 6, and upon the reforms of which it is susceptible.

2. Referring to paragraphs 3 and 8 of the Despatch, the Foujdaree Adawlut will especially report upon the expediency of adopting, in the Districts under this Presidency, the system which has been experimentally introduced in the Bombay Provinces, of placing the Police establishment under the immediate direction and control of a Superintendent of Police subordinate to the Magistrate. A general description of this system will be found in paragraph 32, and the remaining paragraphs of Memoir of the Police reform of the Presidency of Bombay, appended to No. 1 of 1853 of the selections from the Records of Government in the Police branch of the Judicial Department. This number will be forwarded to the Foujdaree Adawlut. The Governor in Council also resolves to apply to the Government of Bombay for information as to the extent to which this system has hitherto been carried out in that Presidency, the success which has attended it, from what classes the Superintendents are taken, and whether any of them are Covenanted Civil officers, and what salaries are assigned to them.

FORT ST. GEORGE,
20th October 1854.

(Signed) T. PYCROFT,
Secretary to Government.

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APPENDIX No. 478

Papers respecting the Revenue and Police Departments, Madras.

MADRAS, 22nd *November*, 1854.

No. 108.

From

A. J. ARBUTHNOT, ESQ.

Acting Register to the Court of Foujdaree Adawlut.

To

T. PYCROFT, ESQ.

Secretary to Government,

JUDICIAL DEPARTMENT.

SIR,

I am directed by the Judges of the Court of Foujdaree Adawlut to reply to the Extract from the minutes of consultation under date the 20th ultimo, forwarding copy of a despatch from the Honorable Court of Directors, and requesting the Court to submit their opinion upon the operation of the existing system of control over the local administration in the Police Department.

2. The Judges will premise their remarks by observing that, from the tenor of paragraph 5 of the Honorable Court's despatch, the Court of Directors would appear to labor under considerable misapprehension in regard to the nature of the control now exercised over the Magistrates and Police in this presidency, as compared with that in force previous to the abolition of the provincial Courts of Appeal and circuit, by Act VII. of 1843. The Honorable Court observe that, since the abolition of those Courts, "no local superintendence has been exercised over "the officers entrusted with the administration of justice and police in the several districts," and that "the control over the local administration is now exclusively in the hands of the "Government itself, or of the Sudder Adawlut, the Board of Revenue, or the head of some "Department, all stationed at the presidency," apparently overlooking the fact that, by the enactment above quoted, the powers vested in the *former* Courts of circuit were completely transferred to the present Session Judges, who, within their respective zillahs, are invested with precisely the same powers of supervision over the proceedings of the magisterial and police authorities as were exercised by the Courts of circuit in the divisions within their jurisdiction. The number of supervising authorities has consequently been nearly doubled, and the facilities for local supervision have of course materially increased. There are, no doubt, disadvantages attendant on the present system which were not felt in the same degree under the old system of provincial Courts. The number of officers to whom the duty of supervising the proceedings of the police and magistracy is entrusted, while it affords increased facilities for local supervision, precludes, in a great measure, the possibility of selection according to fitness for the superior posts. Another objection to the present system is, that the zillah Judge is too much on a par, in respect of position, with those over whom he has to exercise control. He is always of similar standing to the magistrate, whose emoluments are the same as his own, and who is not unfrequently his senior in the service. In most districts, the zillah Court, and the head quarters of the magistrate and of his assistants, are at the same station, which brings the appellate authority, and those whose proceedings he has to supervise, into daily and familiar intercourse. The independence of mind, which is so essential in an officer who has to comment on the acts of others, his equals in condition of life, is thus endangered. The appellate functionary may also

have learnt to feel himself inferior to one or more of those placed subordinate to him, and from this embarrassing position there is no escape. The Judges of the provincial Courts, on the contrary, were decidedly raised above those whose acts they had to supervise, and were greatly freed from the influence of local restraints and associations; and, in respect of the judicial proceedings of the officers of the magistracy, and the proceedings of the police in the cases brought to trial, the weight of their authority was felt.

3. It is not, however, in this department of the administration of justice that the want of an improved system of supervision is practically felt. The judicial powers exercised by the magistracy are comparatively unimportant, and the want of a more efficient system of supervision over them than that which is provided by the existing system, is a want which can only be remedied by an improved system of training and selection for the judicial branch of the service; while, as observed by the Government of Bombay, in the memoir forwarded with the Extract from the Minutes of Consultation now under reply, the degree of supervision which can be exercised over the proceedings of the police by a judicial functionary must, of necessity, be ineffectual, compared to that which can be effected by an efficient Superintendent of Police.

4. The evil which in this presidency, as in Bombay, and, the Judges believe, all over India, is most felt in the administration of Criminal Justice, and which most loudly calls for a remedy, is the want of an efficient preventive and detective police.

5. The materials of a police force, no doubt, exist, which, if sufficiently strengthened and placed under adequate supervision, might be rendered all that is required; but its present organization is extremely defective, and the degree of supervision which the magistrates are able to exercise over its proceedings is by no means adequate. In this presidency, as in Bombay, the time of the magistrates is principally devoted to their revenue duties, and those who take the most active interest in the superintendence of the police, are debarred by the other calls upon their attention from devoting to it that unremitting care and supervision which are essential to the prevention and detection of crime. To remedy this state of things, the judges are of opinion that, if it be deemed inexpedient to separate the offices of Magistrate and Collector, the system which has been brought into operation in Bombay, of placing the police in each district under the immediate direction and control of a Superintendent of Police, subordinate to the Magistrate, might be advantageously adopted here.

6. The separation of the judicial duties of the Magistrate from those which relate to the prevention and detection of crime, appears to the Judges an excellent arrangement. It, moreover, is most desirable to have an officer who may be available on an emergency to trace out serious crime on the scene of its occurrence, and in whose proceedings full confidence may be placed. This duty at present devolves on native functionaries, whose proceedings are ordinarily very ineffective, and command no confidence, so that the judicial authorities have constantly to be on their guard against the machinations of the police, by whom confessions are extorted, and evidence concocted, to save themselves from the stigma and consequences of failure in the detection of crime. In most of the districts in this presidency, two Superintendents of Police would be required.

I have the honor to be, &c.

(Signed) A. J. ARBUTHNOT,
Acting Register.

APPENDIX No. 479

Papers respecting the Revenue and Police Departments, Madras.

No. 237.

REVENUE BOARD OFFICE.

FORT ST. GEORGE, 25*th January*, 1855.

To

The Chief Secretary to the Government of Fort St. George.

SIR,

I am directed to acknowledge the receipt of Extract Minutes of Consultation dated 20th October last, forwarding for the consideration of the Board of Revenue a despatch from the Honorable Court, No. 8 of 1854, regarding the system of local administration in force in this presidency, in the Revenue and Police Departments.

2. The Honorable Court allude specially to the peculiarity in the Madras mode of management, which consists in the absence of that local supervision over the district authorities, which in the other presidencies is exercised by Commissioners. The working of the Madras system is to be investigated, the enquiry being conducted "under a twofold aspect; first, with regard to the "faithfulness, the diligence, and the efficiency of the local administration; and secondly, with "regard to the means possessed by the authorities at the seat of Government of obtaining accurate "knowledge of the details of that administration, and to the competency of the said authorities "thus situated, for its direction and control."

3. Before entering on a consideration of the despatch, it seems proper to correct two inaccuracies observable in its statements as to the present system of control under this presidency. They are found in paragraph 5. It is there remarked by the Honorable Court that, since the abolition of the provincial Courts of Circuit, there has been no local superintendence over the administration of justice and of police; but this is a mistake. The whole powers of the Circuit Courts were, by Act VII of 1843, transferred to the Session Judges, who now exercise precisely the same control and superintendence over the Magistrates and Police, as was exercised by those Courts. In the same paragraph it is also stated that the Superintendence over the local revenue administration is less now than it was formerly before the abolition of Principal Collectors. But this also is erroneous. The Principal Collectors had no larger powers in any respect than are at present possessed and exercised by the Collectors who now have charge of the very same districts.

4. The Board will now state their opinion on the proposition referred for their consideration. They believe it to be the intention of the Government, that they should confine their remarks almost entirely to the revenue administration, those parts of the Honorable Court's despatch which relate to the Police and Judicial Departments, having been specially referred to the Court of Foujdarree Adawlut.

5. They conclude that it is not proposed to dispense with a presidency Board, for the general control of the Revenue Department. Supervision of this nature appears essentially necessary to preserve uniformity of system and action, and for the extension of useful improvements; and it appears to the Board that it can be most advantageously confided to a Board, whose opinions are likely to possess more weight and independence than those of a single officer, and in whose deli-

berations the Government have a greater degree of security against hasty innovation. It would also seem most desirable that a Board exercising such powers should be located at the presidency, the seat of Government, and the residence of the largest and most intelligent community, European as well as Native.

6. For these reasons, the Board presume that the Commissioners contemplated by the Honorable Court are to be an intermediate authority, like the Commissioners in Bengal and in the North West Provinces, between the Collectors and the controlling Board at the Presidency. The great extent of the Madras territories would make it necessary that the number of officers of this grade (to exercise any degree of supervision which could be deemed personal and efficient) should be six at the least, distributed probably in the manner shown in the margin.* The salaries of six officers of this description, at Rupees 3,000 per mensem, would amount to upwards of two lacs annually, independently of establishment, travelling allowances, and contingent expenses, which may certainly be assumed at another lac, making three lacs in all; and the Board are not prepared to agree that the advantages which would follow their appointment, would be at all commensurate with such an outlay.

7. The position of Collectors at this presidency has some peculiarities which bear materially on the subject under consideration. They are placed in charge of provinces which in size and revenue are often equal to three, and in some cases even to four Collectorates in the other presidencies. At the same time, in consequence of the state of the Civil service, and the small number of appointments of higher rank, they are men of long experience before they attain this office; and there seems no prospect of its being attained hereafter within a shorter period of service than at present, viz: from eighteen to twenty years. The Government, therefore, now possess Collectors who have all the qualifications which lengthened experience and prolonged revenue training can give, and whose standing would entitle them in the other presidencies to expect the office of Commissioner. Their general efficiency is thus assured by as strong a security as seems attainable; and their zeal and faithfulness have for guarantees (independently of higher influences) the conspicuous situation of power and trust in which they are placed, and their natural anxiety to gain the approbation of Government, and rise to higher employment.

8. With respect also to the second point for consideration, viz: the means which the presidency authorities possess of ascertaining and controlling the details of the provincial administration, the Board doubt whether such a deficiency now exists as would compensate for the expensive measure in contemplation.

9. The experience possessed by servants of such long standing as the Collectors, is a considerable guard against hasty and inaccurate representations or proposals; and under the present system, parties who consider themselves aggrieved have various ways of seeking redress. The civil courts are open to them; they can address the authorities at the presidency in person or by petition; and it must not be overlooked that the freedom of the press, the modified rates of postage, and the spread of education, all give facilities which did not formerly exist, for the promulgation of wrongs and injuries. There are also various channels through which the state of a province becomes indirectly known to the presidency authorities; and, though this information is not obtained in an official form, it may equally lead to enquiry.

10. In making these observations, the Board would not be understood as asserting that the present system is either in itself perfect, or free from defects which the appointment of Commissioners might, to a certain extent, remedy. When officers rise by seniority to a position of great labor, and of very varied duties, it cannot be expected that all should be equally efficient, or even efficient in every branch of duty. In regard also to control, a Board at the presidency cannot be supposed capable of supervising minutely the act of officers in distant provinces, and

*1. Ganjam, Vizagapatam, Rajahmundry, Masulipatam.
2. Guntoor, Nellore, North Arcot, Chingleput, Madras.
3. Bellary, Cuddapah, Kurnool.
4. Coimbatore, Malabar, Canara.
5. Salem, South Arcot, Trichinopoly.
6. Tanjore, Madura, Tinnevelly.

must, to a certain extent, be guided in the matter of complaints by their explanations. But a Commissioner would not be in a materially better position in these respects If six such officers were appointed, the extent of each division would range from twenty to twenty eight thousand square miles, and close personal supervision could not be exercised in the majority of instances; and whenever the control was not personal, it could not differ very greatly from that now exercised by the presidency authorities.

11. There is one obvious advantage indeed in the system of Commissioners, viz., that it affords the means of selection for the higher and more important post. It is evident that it will always be easier to obtain six able and efficient officers for Commissioners, than to procure twenty such for Collectors; or, to put the case in a different light, the exertions of six able men (able not merely from natural qualities, but from the possession also of adequate experience and knowledge of business,) as Collectors, would affect only six districts; while, as Commissioners, they would influence the whole presidency. The creation of these superior appointments would also make the prospect of promotion more effectively operative as a stimulus to exertion, and at present it cannot be denied that, from the very small number of appointments above the rank of Collector, the prospect to any officer of ever rising above that rank is very small under this presidency. But the Board will presently suggest another method by which the same end may be attained, and, as they believe, more advantageously. On the other hand, it appears to the Board that the appointment of Commissioners might tend to delay the disposal of business, and to increase correspondence.

12. In the event of its being determined to appoint Commissioners, the Board are very strongly of opinion that the number of Collectors should be increased, so as to put it in the power of those Officers then to have primary administrative functions, to acquire a more accurate knowledge of their districts, and to come more in contact with the people. Even if the number were raised from twenty to forty, each one would be on an average two-fifths larger than in the North West Provinces.* These forty districts might be placed under six Commissioners, with the same geographical extent of jurisdiction respectively as is indicated above; and each should have a Collector, Sub-Collector, and Covenanted assistant with salaries as shown in the margin.† Two uncovenanted assistants would also be required in each district, or, including the Salt Department, about ninety five for the whole presidency. This distribution of the territory into forty districts would, in the Board's opinion, prove equally advantageous in the Judicial and Public Works Departments.

13. These are the arrangements which the Board would consider complete and sufficient in the event of its being determined to appoint Revenue Commissioners in this Presidency. But they cannot advocate such a measure either with the existing districts, or with the remodelled establishment above indicated, because it does not appear to them that the advantages to be derived from the change would nearly counterbalance the large increase of cost. They will take this opportunity, however, to propose some changes of a less organic kind, which it appears to them would greatly promote the efficiency of the existing arrangements.

14. In the first place, instead of incurring the heavy expense which the proposed system would involve, and lowering the position of Collectors by placing permanently between them and the Board of Revenue a new class of officers, the Board consider that it would be a more effectual improvement in our administration to increase the efficiency of Collectors by relieving them of many of the executive details now laid upon them, and thus to raise them in some degree to the position of a Commissioner, or Superintending Officer, in the extensive districts placed under their charge. The Collectors now are certainly too much encumbered with detail, and this operates injuriously by occupying time which would be more advantageously employed in general

	Sq. Miles.	*Col. Sq. in each Col.*
*N. W. P.	72,000	÷ 30 = 2400
Madras	138,000	÷ 40 = 3450

†Collector	Rs.	2000
Sub-Collector..	,,	1000
Covd. Assistant	,,	500

Superintendence, since if the primary disposal of business was entrusted to the Subordinate Officers, the public would enjoy the power of appealing to the Collectors, and the higher authorities have the benefit of their independent and unbiassed opinion. The improvement here contemplated, might be gained by enlarging the separate charge of the Sub Collector (now always an Officer of long standing) and of the Head Assistant, and by the employment of uncovenanted Assistants as already advocated by the Board in a recent paper.* Officers of the highest grades of this last class would be fully competent to perform all the independent duties of a covenanted Assistant, and the employment also of one under the Sub-Collector, would enable him to superintend a much larger charge than he can at present. At the same time the powers of the Tahsildars should be enlarged, and to meet this increased responsibility, their salaries should be augmented.

15. The Board also consider it essential to effective administration, that the immense districts of Cuddapah and Bellary should both be divided. Each contains now about 13,000 square miles, and will be only slightly reduced by the proposed annexations to Kurnool. This is double the extent of North Arcot, South Arcot, Salem, and other full sized districts. Half that extent, or about 6,000 square miles, would be an ample charge for a Collector, aided by a Sub-Collector and establishment as above indicated, and even the new districts so formed, would still be two and a half times the average size of the Collectorates of the North West Provinces. It may be added that both in the judicial administration and in that of the public works, these two Collectorates are at present notoriously very much too large for efficiency. In every point of view it is highly desirable that they should be subdivided. Some of the Talooks contained in them are also far too large, and ought to be sub-divided also.

16. The last measure which the Board have to recommend has reference to the Collectors' salaries. Formerly the districts were in two classes. In the larger and more important there were Principal Collectors with a higher scale of salary than that of the Collectors in the smaller districts. In 1839, as a measure of economy this difference was abolished, and a uniform salary lower than that allowed to the smaller districts was assigned to all. The Board would not now advocate any increase for the minor Collectors, but justice and expediency seem to require that the labor of superintending the larger and onerous provinces should be adequately rewarded, and that Government should have it in their power to offer an inducement to men of superior ability, zeal and experience to undertake the greater labor. The principle is admitted in Ganjam and Vizagapatam, and in a less effective form in Guntoor and Cuddapah; and, in the Board's opinion, should be extended to such districts as Canara, North and South Arcot, Madura, Coimbatore, and others; and perhaps even to some of the new districts to be formed, as above suggested, by the sub-division of Bellary and Cuddapah. The establishment of a difference such as this would not only give the Government the power of selecting the ablest officers for the most arduous posts, but would be a beneficial stimulus to the service at large, in the absence of the superior grade of Commissioner which exists under the other presidencies.

17. The Board consider that the measures above advocated, and especially the means proposed in paragraph 14, for raising the position of the Collectors, and causing them to be less mixed up than at present in executive details, would in a material degree supply the want of local independent control now experienced, would render the provincial administration more efficient, and so lessen the need for general supervision. The improvements above recommended (in lieu of the Honorable Court's suggestions) will of course entail some increase of expense; but this will, in the Board's opinion, be counterbalanced by the greater efficiency of the local administration; and it seems to them far more important both to the Government and the people to secure the maximum of efficiency in the primary disposal of business, than to endeavour to compensate for deficiencies at that stage by subsequent supervision. The Board may

*To Government, 22nd January 1855.

also remark that the apparent cost of collecting the revenue in this presidency is unduly enhanced by erroneously including therein many charges which are not so included in the other presidencies.

18. The Board would observe lastly, that the Government may increase the activity of its control over the provincial officers by occasionally deputing members of the Board of Revenue on temporary special missions or circuit. The Board would not advocate this as a constant, or normal arrangement, but they advert to it as a measure which has been resorted to in times past, and may be again, on special occasions, as when the state of a province is deemed unsatisfactory, or when the revision of its assessment or some other reform may be under consideration.

I have, &c.

(Signed) B. CUNLIFFE,

Acting Secretary.

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APPENDIX No. 480

Papers respecting the Revenue and Police Departments, Madras.

JUDICIAL DEPARTMENT.

The 14th August, 1855.

No. 579, B.

To

The Secretary to the Government of India.

SIR,

Under date the 28th September 1854, the Madras Government received a despatch from the Honorable the Court of Directors, bearing date 23d August, comparing the systems in force in the Bengal and Bombay presidencies for the superintendence of the local administration, with that which obtains in this presidency.

2. In Bengal, the Honorable Court stated, the Collectors and Magistrates of several adjacent districts (generally five or six) were placed under the regular control of a Commissioner who was responsible for the revenue and police administration within the range of his authority. Changes had been occasionally made in the details of this control, but the principle of subjecting the local officers to such superintendence, was an essential part of the scheme of administration in that presidency. Occasional tours of inspection were also made by the superior authorities as circumstances might render necessary.

3. Under the Bombay presidency, again, the police system, both village and stipendiary, was in a course of revision and reform. In each district a Superintendent of Police had been appointed, who was subordinate to the Magistrate, but was vested with the immediate direction and control of the establishment. The several collectors (also being magistrates) were under the control of two Revenue Commissioners, one for the Northern, the other for the Southern Division. Circuits were formerly made by Judges of the Sudder Adawlut, for the purpose of enquiring into the police and judicial administration of each district, and it was under consideration by what agency it might be most advisable that this duty should be performed for the future.

4. In the Madras Presidency on the other hand, the Honorable Court observed, the police was immediately under the direction of the collector, who was also magistrate, and since the abolition of the provincial courts of appeal and circuit, no local superintendence had been exercised over the officers entrusted with the administration of justice and police in the several districts. Except in the case of a deputation for some temporary purpose, under Act X of 1849, no such superintendence had, of late years, it was believed by the court, been exercised over Collectors and Magistrates; whereas the principle of supervision of superior authority was maintained, although imperfectly, during the continuance of the office of Principal Collector, with two or sometimes three subordinate district collectors acting under his authority. The control over the local administration was now exclusively in the hands of the Government itself, or of the Sudder Adawlut, the Board of Revenue, or the Head of some Department, all stationed at the Presidency.

5. The Honorable Court desired that the Government would institute such an investigation as they might judge most advisable, for the purpose of ascertaining how far this system (that is, that of vesting all control over the local administration in the hands of Government, or departments stationed at the presidency,) which was peculiar to the Madras presidency, had worked satisfactorily for the public interests. The inquiry had, they stated, to be conducted under a two-fold aspect;—first with regard to the faithfulness, the diligence and the efficiency of the local administration; and secondly, with regard to the means possessed by the authorities at the seat of Government, for obtaining accurate knowledge of the details of that administration, and to the competency of the said authorities, thus situated, for its direction and control.

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6. The Court next noticed the experiment now being tried at Bombay, of placing the police establishment of each district under the immediate direction and control of a Superintendent of Police. They wished this Government to consider, whether a similar arrangement might not be advantageously introduced into this presidency, and suggested that it might be well to refer to the Bombay Government for information on the subject.

7. Lastly, the Court adverted to one important consideration, that of causing no unnecessary expense, and none in any case that would not bring with it an adequate advantage. They desired that the result of the investigation should be submitted to the Governor General of India in Council, and application made to him to sanction any modification of establishments that might seem desirable, and that the proceedings on the subject should be fully reported to them for their information and further direction.

8. On receipt of this despatch, immediate* reference was made by the Government to the Court of Foujdaree Adawlut and Board of Revenue, for their early opinion upon the operation of the existing system of control over the local administration in the several departments of police and revenue, regarded under both the points of view adverted to by the Honorable Court, and upon the reforms of which it was susceptible.

9. The Fouzdaree were also desired specially to report upon the expediency of adopting in the districts under this presidency, the system which had been experimentally introduced into the Bombay provinces, of placing the police establishment under the immediate direction and control of a Superintendent of Police, subordinate to the magistrate. A general description of this system, they were informed, was to be found in paragraph 32, and the remaining paragraph of a Memoir of the Police reform of the presidency of Bombay, appended to No. 1. of 1853 of the selections from the records of that Government in the police branch of the Judicial Department.

10. Application was on the same date made to the Government of Bombay for information as to the extent to which this system had hitherto been carried in that presidency, the success which had attended it, from what classes the superintendents were taken, whether any of them were covenanted civil officers, and what salaries were assigned to them.

11. The reply to this reference was received from the Court of Foujdaree Adawlut under date 22nd November, and from the Board of Revenue under date 25th January 1855, but the answer of the Bombay Government was not received until the 27th April last.

12. I am now desired to lay these papers, with the minutes of the members of the Madras Government thereon recorded, before the Government of India, and to submit the following remarks upon them.

13. The observations of the Honorable Court of Directors in their despatch above quoted, refer to.

The nature, extent, and sufficiency of the supervision exercised in the Madras Presidency over the local officers—

In the Revenue Department,
In the Magisterial Department;

and in regard to the latter department, both in respect to the judicial functions of the magistrate, and to his executive duties as head of the district police.

14. On the first of the questions raised by the Honorable Court, viz. whether the means of supervising the local revenue officers under the Madras system are adequate to the purpose, or whether it be advisable to introduce an intermediate controlling agency, as the Commissioner in Bengal, between the Revenue authorities at the presidency, and the Collectors in the provinces, this Government desire me to solicit attention to the letter from the Revenue Board under date 25th January last. In that communication the Board have gone fully into the subject, and their arguments could not be abridged without weakening their force. In the conclusions at which they have arrived this Government generally concur. They believe that the appointment of

* 20th October 1854.

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Revenue Commissioners, or any similar agency holding an intermediate position between the Board and the Collectors, is not required in this presidency; that it would be productive of no advantage, commensurate with the cost that it would involve, and would tend greatly to accumulate papers and delay business. It is pointed out by the Board that in regard to the extent of country and amount of revenue placed under their management, as well as in regard to their own experience and standing in the service, the Madras Collectors do in fact occupy a position approaching more nearly to that of Commissioner than of Collector under the other presidencies. If the existing system of local revenue administration in Madras has not been in all respects fully efficient, its defects are ascribable not to the want of local supervising agency, but to the vast load of detail imposed on heads of districts, and the insufficiency of the Subordinate agency at their command to aid in its performance. The remedy lies in relieving the Collector from such detail, and affording him more leisure for the general supervision of the province under his care, and for studying the means of its improvement, by the employment, or it should rather be said the introduction of the uncovenanted agency (that is the Deputy Collectors) so largely used in Bombay and the North Western Provinces. A scheme for that purpose proposed by the Board of Revenue in their letter of 22nd January last, has been recently forwarded to the Government of India in the Revenue Department,* and this Government consider that its adoption will tend more than any other measure to improve the Revenue administration of this presidency.

15. The Board of Revenue, it will be remarked, have adverted to the great size of the two districts of Cuddapah and Bellary, and given it as their opinion that each of them might be with advantage divided into two Collectorates. The Government do not concur in this. If there be any of the Madras provinces which it would be desirable to divide, it would, in their view, be that of Canara. Its great length, 300 miles, places some parts of it almost beyond the reach of one controlling officer. It is now divided into two judicial zillahs, Mangalore and Honore, and was formally parted into the two Collectorates of North and South Canara. The Government are inclined to think that this arrangement might be with advantage reverted to, and have called upon the Board for a report upon the suggestion. With this possible exception, the Government would not advise any change in the extent of the existing Collectorates. It would, in their opinion, be a preferable arrangement to provide for the dispatch of business by enlarging the charges now held by Sub-Collectors and Head Assistants, giving those officers the benefit of uncovenanted agency under them, or by annexing as formerly additional Sub-Collectors to the larger districts.

16. At the same time, the Government think it but reasonable that higher rates of salary should be attached to the more important Collectorates, both as an adequate remuneration for the labor and responsibility involved in their management, and as affording means of promotion, and holding out a stimulus to exertion to Revenue Officers. The Collectors of such districts as Canara (if kept undivided,) Malabar, Cuddapah, Bellary, Tanjore and the two divisions of Arcot, should not be paid a lower rate of salary than Rupees 34,000 per annum.

	Area Square Miles.	Population as per Census of 1850-51.	Revenue Fusly 1263 1853-4.
Canara.....	7,720	1,056,333	27,84,210
Malabar.....	6,060	1,514,909	23,43,547
Tanjore.....	3,900	1,676,086	52,52,984
South Arcot...	7,610	1,006,005	25,21,726
North Arcot...	6,800	1,485,873	19,02,015
Cuddapah..	12,970	1,451,921	22,93,205
Bellary.....	13,056	1,229,599	22,67,479

17. A further most desirable reform would be to raise the salaries of the Talook Tahsildars. The charges held by these men vary in point of revenue from one to more, and even four lacs of Rupees. Their highest rate of salary, and that only in a few instances, is Rupees 140 per mensem, while some receive as little as Rupees 60 or 70. In the opinion of Government the minimum should be 100 rupees, and when the talook is large or difficult of management, the pay should be at least double that sum. A smaller salary will not enable these officers to live in comfort and respectability, nor be a sufficient inducement to them to keep from those corrupt practices to which their position peculiarly exposes them; to which it might be added, that a lower scale of remuneration would not place the native

*13th August 1855, No. 949 B.

revenue and judicial officers on a due footing of equality. The salaries of the district Moonsiffs, who are of the same classes as Tahsildars, vary from 200 to 100 rupees per mensem, and an application has lately been made by the Court of Sudder Adawlut for their being increased. In the North Western Provinces, the salaries of Tahsildars are rupees from 125 to 250, and the pay of the Mamlutdars of talooks, as in Bombay, ranges from 100 to 200 rupees, though it is believed that, in size and revenue, the talooks in the Bombay and Agra presidences fall much below the Madras talooks.

18. In a late despatch, the Honorable the Court of Directors have called upon Government to consider upon the propriety of abolishing the Office of Commissioner in the Northern Circars. the Officer now filling that appointment being recalled to his place in the Board. Looking to the greatly augmented amount of business of late years, and the probability that it will go on augmenting, the Government think that the Board should be increased to four members, and that one Member should always be held available for delegation into the provinces on emergency arising for local inquiry. On the Board being thus increased, the appointment of Commissioner for the Northern Circars might determine, and the officer now on deputation there rejoin the Board. Or if his presence in the Northern Circars were required for any further time, would remain there on the footing of a Member of the Board on deputation.

19. On this part of the subject, then, the Government are of opinion that additional means for supervising the local revenue administration are not required, and that what is urgently demanded for the improvement of the revenue system of management is to enhance the controlling power of the Collectors of districts, by relieving them from details, to attach higher rates of remuneration to the management of the more important provinces, to augment the charges of their European covenanted subordinates, and in some cases to add to their number; to give Collectors the benefit of uncovenanted agency as deputy Collectors, and to better the position and emoluments of the Tahsildars of talooks.

20. With regard next to the supervision exercised by the judicial authorities over the proceedings of the magistrates, it is shown by the Judges of the Foujdaree Adawlut that the Honorable Court are in error in supposing that this has in any degree been weakened by the changes effected under Act VII. 1843. The effect of those changes has been to transfer to the Sessions Judges the full powers of control over the magistrates previously exercised by the Courts of circuit. It is true, as remarked by the Foujdaree, that the working of the new system is attended with this inconvenience, that there is not a sufficiently well marked distinction in standing and position between the supervising authorities and those whose proceedings come under review; and that the former, the present Sessions Judges, are more exposed to local influences than the old Judges of Circuit. On the other hand, it is to be remarked that another effect of the change has been greatly to increase the number of controlling functionaries,* and to substitute a permanent controlling authority of local knowledge and experience, for that which before could only act occasionally and at intervals, and under circumstances, viz,, the distraction and labors of a circuit not favorable to patient and careful inquiry.

21. The Government are not of opinion that further means of supervising the acts of Magistrates in their Judicial capacity are needed. They consider, however, that the Magisterial Department itself, like the Revenue, is unequal to the amount of duty devolving upon it, and requires strengthening. The report of the commissioners for the investigation of the resort to torture by police and revenue servants, shows that from the paucity of the Covenanted agency, and their devotion to other duties, the people of the country have not the means of making their grievances known, or of securing adequate protection against oppression. In no district of the presidency are there more than four Magistrates and Assistant Magistrates, one of them being frequently a Junior Civil Servant of no standing sufficient to admit of his being invested with a separate charge, and all overloaded with revenue and miscellaneous duties. The remedy here

* That is from four Judges on Circuit to twenty Session Judges.

(besides the withdrawal of Police powers from native revenue officials hereafter to be noticed,) lies, as in the revenue branch, in relieving the Magistrate from petty details, and giving him more leisure for controlling the acts of his native subordinates, and in increasing his staff, Covenanted and Uncovenanted, the latter by the appointment of Deputy Magistrates, or by conferring the powers of Deputy Magistrates on the Deputy Collectors when necessary.

22. I have now to approach the third branch of the Honorable Court's inquiry, viz: as to the nature and sufficiency of the control exercised over the local Police, and whether the system lately introduced into the Bombay territories might with advantage be extended to this Presidency.

23. The nature of this system, which, as the Government learn by the late reply to their reference, obtains in all the Bombay Regulation provinces, is given in a memorandum on the police reform of the presidency of Bombay at the conclusion of No. 1, of the Selections from the Records of that Government in the Police Branch of the Judicial Department. Extracts from this memorandum shewing the general features of the scheme have been, for convenience of reference, thrown into an appendix, and annexed to this letter. It may be shortly stated that the Collector and Magistrate is the head of the police of the district. The stipendiary district police, however, having been separated from the Revenue officers, are placed directly under the command of a "Superintendent," usually a military man, though in two instances they have been selected from the uncovenanted service. The superintendent is to act in subordination to the magistrate; but, though invested with magisterial powers, he is to exercise them only for punishing irregularities among the men of the police. His duties are purely executive for the prevention and detection of crime, and in this his province he is to be interfered with as little as possible by the magistrate, who is to confine himself to Judicial and administrative duties. With regard to the stipendiary police force, it is stated, the magistrate and superintendent hold the relative position of the Civil and Military powers; the former making requisitions on the latter for the services of the police at such times and places as he deems fit; the superintendent, on his part being left a discretionary power in obeying these requisitions by supplying a larger or smaller force as his local knowledge and experience suggest, but being responsible to the magistrate and to Government for any failure that a deviation from the Magistrate's requisition might entail. The *village* Police, on the other hand, in common with the other village establishments, are wholly under the control of the Collector and Magistrate, although bound to obey any emergent orders addressed to them by the superintendent in the execution of his duty.

24. The Madras Government have referred to that of Bombay for information as to the practical working of this system. They have been told in reply, that it may be generally said to have worked well both for the prevention of crime and the detection of criminals. It may, however, be expected to work far better when the gradual reorganization of the village Police has been completed, and when more efficient supervision of the superintendents has been established. For the attainment of the latter object, application had been made to the Supreme Government for the appointment of a Magistrate of experience as Commissioner of Police, who would be able to visit each zillah during the year, and ascertain by personal examination the defects in the operation of the new system. There are sixteen superintendents in all, viz. twelve superintendents and four assistants. Their allowances vary from Rs. 1,100 (in one case only,) to Rs. 500, per mensem; the aggregate according to the revised scale settled for future adoption being Rupees 10,500 per mensem, or 1,26,000 per annum,* besides deputation allowance, when actually employed in the districts, of rupees five per diem for those below, and rupees ten for those above five years' service in the Police.

25. The state of the Police in the districts under this presidency must be admitted to be most unsatisfactory. The Judges of the Court of Foujdaree Adawlut † have with truth remarked that, "the evil most felt in the administration of criminal justice, and which most loudly calls for a

* It is not explained whether these rates are inclusive or exclusive of Military pay and allowances when the employé is an Officer of the Army.

† Letter dated 22nd Nov. 1854, Paragraph 4. No. 108.

"remedy, is the want of an efficient preventive and detective Police." The materials for such a force, they add, "no doubt exist, which, if sufficiently strengthened and placed under adequate "supervision, might be rendered all that is required; but its present organization is extremely "defective, and the degree of supervision which the magistrates are able to exercise over its "proceedings is by no means adequate. The time of the magistrates is principally devoted to "their revenue duties, and those who take the most active interest in the superintendence of the "police, are debarred by the other calls upon their attention, from devoting to it that unremit-"ting care and supervision, which are essential to the prevention and detection of crime." Of the correctness of this representation there can be no question, nor can it be denied that the inability of the present Police establishments to cope with the prevailing amount of crime, or to ensure protection to person and property, has latterly become more than ever marked and notorious. I am desired, in proof of this, to annex two letters* from a Collector of a district but a short distance from the presidency, the southern division of Arcot, describing the state of crime in his district, and applying for additional means for its repression. These have been granted as a present palliative; but the evil is not to be dealt with by such temporary expedients, nor is it confined to any single province. Table shewing the number of gang robberies in the several districts of this presidency for the past year 1854.

DISTRICTS.	With aggravating circumstances.	Without.	Total.
Bellary.....	110	295	405
Nellore.....	12	64	76
Chittoor.	29	99	128
Chingleput.	11	23	34
South Arcot.....	15	217	232
Salem.	37	34	71
Combaconum.	44	93	137
Trichinopoly..	22	56	78
Tanjore.....	3	29	32
Madura.....	32	20	52
Tinnevelly.....	30	54	84
Malabar.	19	42	61
Canara.	12	19	31
Ganjam Agent.	11	22	33
Vizagapatam do. ..	0	3	3
Kurnool do. ..	25	2	27
Guntoor.	1	1	2
Cuddapah.....	56	81	137
Ganjam.....	0	2	2
Vizagapatam.....	1	0	1
Rajahmundry.	0	11	11
Masulipatam.....	11	76	87
Total..	481	1243	1724

26. For the re-organization of the stipendiary Police of this Presidency, and putting it upon an efficient footing, two measures seem to this Government to be indispensable. First, to separate Police from Revenue functions, and to confine the district Police absolutely to police duties; and, secondly, to place the force thus set apart, under close and undivided European superintendence. The first of these measures will not only tend to secure that efficiency which is not to be expected when the officer is liable to be employed on different and sometimes conflicting duties, but will serve to obviate the oppression which the late enquiry before the Commissioners for the investigation of torture has evinced to be incident to, and favored by, the concentration of fiscal and police powers in the same hands. The second will ensure that discipline in the force, and that promptitude and vigor in its action, which are indispensable to an efficient police administration.

27. Commencing then with the native district Police stipendiary Officers, Peons, Duffadars, &c., the Government propose that in every district, those who are henceforth to be employed on Police duty be wholly separated from native revenue servants; that none be allowed to serve but such as are of suitable age and able bodied; thatthey be well armed and equipped, and instructed in the use of their weapons, as members being available for "general service," or for employment in any part of the presidency. It will be proper to have gradations of rank both for the due maintenance of discipline, and to afford means of promoting the deserving. It will also be found necessary to have a part of the force mounted.

28. The management of this force becomes the next consideration, and here this Government would advocate recourse to the plan obtaining in the Bombay presidency, and suggested for their consideration by the Honorable Court. It will be seen that this is recommended by the Magistrate of South Arcot, who urges its adoption in his district as the most efficient means for the repression of crime there. It is also highly approved by the Judges of the Court of Foujdaree Adawlut†. The separation of the Judicial duties of the Magistrate from those which relate

* Dated 10th and 26th July 1855.
†Letter dated 22nd November 1855, paragraph 5, No. 108.

to the prevention and detection of crime appears, they say, an excellent arrangement. "It moreover is most desirable to have an officer who may be available on an emergency to trace out "serious crime on the scene of its occurrence, and in whose proceedings full confidence may be "placed. This duty at present devolves on native functionaries, whose proceedings are ordinarily "very ineffective, and command no confidence; so that the judicial authorities have constantly to "be on their guard against the machinations of the Police, by whom confessions are extorted, "and evidence concocted, to save themselves from the stigma and consequences of failure in the "detection of crime."

29. In these views the Government quite concur. They would therefore propose that, as in Bombay, a Superintendent of Police be appointed to each district, to be in general subordination to the Magistrate, but to have immediate charge of the district Police force, and to be vested with the special duty of the prevention or detection of crime. In some of the largest districts it may be necessary to have two superintendents; but for the present, the Government limit their calculations to one.

30. The success of the whole scheme, as experience has shown at Bombay, will, however, largely depend upon its being efficiently supervised by some central controlling authority. For this purpose, the Government would most strongly advocate the appointment of a Commissioner of Police for the whole presidency. His chief station should be at Madras, the Police force of which, as that in the Mofussil, should be under his surveillance; but he would make occasional tours in the provinces, and ascertain by personal inspection the defects in the working of the system. He would be the referee and adviser of Government in all matters of Police, and the channel through which all reports and returns on Police are made to them; occupying in fact much the same relation to the Police Department as the Director of Public Instruction to that of Education, or the Inspector of Prisons to that of jail discipline. At present the police of the country is nominally under control of the Foujdaree Adawlut, whose constitution is by no means peculiarly fitted for the trust, and who are too much occupied with other duties to give it much of their attention. The appointment of the Commissioner should, the Government think, be the very first step towards the organization of the new system. The Superintendents would be nominated gradually, as fit men could be found and arrangements made.

31. The Village Police in Madras, as in the Bombay territories, would, for the present at least, continue under the control of the Collector and Magistrate. The Government are, however, by no means certain that eventually it might not be found practicable, as well as advisable, to extend to the village establishments the separation of police and revenue functions, which is at once to be carried out in regard to the talook authorities. The village watcher, Taliar, Cavilcar, or whatever else might be his local designation, would then be directly under the orders of the Superintendent of Police. But this, with other matters of detail, will be the subject of consideration as the organization of the system proceeds.

32. It will now be proper to advert to the probable expense that will attend the adoption of the measures now advocated, or at least such of them as admit of approximate calculation. The estimated charge for the uncovenanted assistants applied for in the letter from this office in the Revenue Department of the 13th instant, is Rupees (3,45,600,) three lacs, forty-five thousand and six hundred. For the additions in the Police Department, the commissioner of Police should, the Government think, have a salary not less than Rupees 2,500 a month, or Rupees 30,000 per annum, besides travelling allowance. For superintendents the Government would propose two classes, twelve at Rupees 600, and eight at Rupees 800 per mensem, consolidated pay, besides travelling allowance at five rupees per diem, the higher rates of pay being attached to the important districts noted in the margin.* The Government would desire to have two rates, both because it is just in the abstract to annex larger rates of remuneration to the more arduous charges, and because they would thus be enabled to hold out prospects of promotion to meritorious officers, and give an incentive to exertion. The expense of Commissioner and Superintendents would

*1. Canara 2. Malabar. 3. Madura. 4. Tanjore. 5. South Arcot. 6. North Arcot. 7. Cuddapah. 8. Bellary.

thus be (see margin)* Rupees 1,93,200; or say, including travelling allowances and contingencies, in round numbers two lacs and twenty thousand rupees. The Commissioner must have an establishment of his own. Those for the superintendents might perhaps, as in Bombay, be drafted from the present district establishments.

33. The expense of raising the salaries of the Collector of the districts noted in paragraph 16, from Rupees 28,000 to Rupees 34,000 per annum, would be 42,000 Rupees.†

34. The charge of adding another member to the Board at say Rupees 3,000 per mensem, would be 3,000×12=36,000 Rupees per annum.

35. The cost of providing additional Sub-Collectors for the larger districts, and increasing the salaries of the Tahsildars generally, cannot be now stated; but should the principle be approved, a detailed scheme will be submitted for sanction.

36. With regard to the expense to be involved in the improvement of the stipendiary Police force, Duffadars, Peons, &c., the Government find from a return received from the several districts that, excluding Madras, the number of servants who now perform, or on the separation of police and revenue functions would have to perform, solely police duties, is 17,636, at a monthly charge of rupees 84,482. This is a considerable number; and when the body is fully drilled, equipped, armed, habituated to the use of arms, and under good superintendence, their efficiency will be greatly increased. The rate of pay is low, scarcely averaging five rupees per mensem. To what extent, however, it may be found expedient to increase either their numbers or emoluments, can only be known as the organization of the force proceeds. The same may be said of the village police, whose emoluments, though they have of late been improved in a few districts, are yet in most parts of the country too low to secure effective service.

37. To recapitulate, the Madras Government would solicit sanction for the following measures as essential for placing the administration of the country revenue and police upon a proper footing:—

1st. To entertain the Uncovenanted Assistants applied for in their letter in the Revenue Department of the 13th instant.
2nd. To appoint a Commissioner of Police.
3rd. To appoint a Superintendent of Police in each district.
4th. To entertain additional Sub-Collectors in the larger districts.
5th. To raise the salaries of Tahsildars.
6th. To revise the emoluments of the Stipendiary and Village Police.

38. They would also strongly recommend that the salaries of the seven large Collectorates, Canara, Malabar, North and South Arcot, Tanjore, Cuddapah and Bellary, be raised to Rupees 34,000 per mensem; and that a fourth member be added to the Board of Revenue.

39. The expense attendant on the first three measures noted in paragraph 37, which alone admits of being at present stated with any accuracy, would, as shown in the margin, amount to Rupees 5,65,600. The cost of the three further but not less necessary measures advocated, cannot, as already said, be now given, but it will doubtless be considerable. The expense of raising the salaries of the seven Collectors, and adding a Member to the Board of Revenue, would be Rupees 42,000+36,000= Rs. 78,000 per annum. It is with great reluctance that the Government counsel the adoption of arrangements which involve such large charges on the public treasury; and they do so only from the solemn and earnest conviction that of all they have recommended, the measures proposed in paragraph 37 are highly desirable and just, and those submitted in the preceding paragraphs indispensably requisite for the fiscal development of the country, and for the security of person and property throughout the Madras Presidency.

12×600×12=Rs.	86,400
8×800×12= „	76,800
2500×12= „	30,000
	1,93,200
*Travelling allowance for Superintendents, say for 150 days in the year, at five rupees a day. ..	15,000
Ditto for Commissioner 150 at ten rupees a day	1,500
Rs.	2,09,700

†34,000
28,000
6,000
7
42,000

I have, &c

(Signed) T. PYCROFT,

Chief Secretary.

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Papers respecting the Revenue and Police Departments, Madras

APPENDIX A.

Extracts from a Memorandum on the Police reform of the Presidency of Bombay, annexed to No 1. Selections from the Records of that Government in the Police Branch of the Judicial Department, showing the plan for the control of the stipendiary district Police, recently adopted in the Bombay territories.

Paragraph 32. The Collector and Magistrate is the head of the Village Police, and a Deputy, to be styled superintendent, is placed under his orders for Police affairs.

33. The Magistrate, however, confines himself to judicial and administrative matters; while the Superintendent has the control (as his Deputy) of the executive Police, the command of the entire stipendiary body, with the initiative in the prevention and detection of crime. With regard to the stipendiary police force, the Magistrate and Superintendent are to hold the relative position of the Civil and Military powers, the former making requisitions on the latter for the services of the Police at such times and places as he deems fit, the superintendent on his part being left a discretionary power in obeying these requestions, by supplying a larger or smaller force as his local knowledge and experience would suggest, but being responsible to the Magistrate and to Government for any failure that a deviation from the Magistrate's requisition might entail.

36. It was the first business of the Magistrate to hand over to the Superintendent such of the Police as were then under him, and to make a separation of those employed on revenue and police duties indiscriminately, making over the latter to the Superintendent.

37. The two officers were then conjointly to distribute the Police force over the Zillah. When that was once done, it was to be discretionary in future with the Superintendent, to alter, from time to time, the details of the arrangement as circumstances might occur, communicating all important alterations to the Magistrate at once for sanction, and including the whole of them in monthly Distribution Returns, to be made out in duplicate, one for Government and the other for the Magistrate. In like manner, he was to furnish a duplicate copy of all returns to the magistrate; and in corresponding with Government, he was to forward his Reports under a flying seal through the Magistrate for his information; and if on any emergent occasion, this should cause delay, he was to forward his report direct, and furnish the Magistrate with a copy by the same or following post.

38. On receiving charge of the Police Peons or Sebundy, the Superintendent was to examine them as minutely as recruits for a Police corps, and furnish Government with a return of them in a given form, pointing out, for the orders of Government, any that should, in his opinion, be discharged as inefficient.

39. He was also to have the powers of a magistrate in his zillah, but, in the same manner as the Collector and Magistrate, was to abstain from all interference beyond what might be absolutely necessary in executive functions. The superintendent was most cautiously to refrain from engaging in any judicial operations, except in punishing the members of the Police force. His duty was to prevent and detect crime, not to try it. He was therefore to go no further than to satisfy himself that there is sufficient ground to believe that the party apprehended is the criminal, and then transfer him to the nearest Magistrate or Assistant.

41. To aid the superintendent in the supervision of the district Police, the Magistrate was to place under his orders a Carkoon for each district; who, under the title of Joint Police Amildar, was to devote his time exclusively to the duties of the executive Police. He was to correspond direct with the Superintendent, whose more immediate subordinate he is. His headquarters were to be the Mamlutdar's Cutcherry; and he was to conduct his duties in subordination to that Officer, but have a department of his own. The Joint Police Amildar was to have the control over the Police force of his district, and the same power to punish them that the Mamlutdar before possessed; but always under the control, and with the sanction of the superintendent.

42. At the same time, the Collector and Magistrate with his Assistants, and the Mamlutdars, as chief Police authorities, were not debarred from acting as executive Officers on special

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APPENDIX A.

occasions, when immediate reference could not be made to the superintendent or his executive staff. Orders issued by them to the Police to search for and apprehend criminals, were to be obeyed as a matter of course; but in all such cases they were to report their proceedings to their own chief, the superintendent.

43. Thus far, the principal control over the Police force has been practically vested in the superintendent, acting in subordinate co-operation with the Collector and Magistrate. But in considering the village police arrangements, the Bombay Government determined to deviate in some important particulars from the system which had been applied to the *stipendiary* branch. Although the stipendiary Police peons could be separated from those performing fiscal duties, the Patell and other grades must unavoidably be retained as revenue servants, and could not be placed absolutely under a Police jurisdiction so beyond the immediate control of the collector as was intended for the stipendiary force, without almost necessarily entailing a collision of authority injurious to the efficiency of both departments.

44. The *Village* establishments and the Patells were to be placed under the exclusive protection and authority of the Collector and Magistrate. The distinction between the management of the stipendiary and Village Police is given in the following words. "As regards the "discipline and management of the Village Police, the Collector will exercise, under the above "arrangement, an absolute and sole authority. The Village Police will obey the superintendent's "emergent orders when summoned by him to do so, and the Collector will support the superin-"tendent in the exercise of this authority as his own representative. But with maintaining the "discipline and controlling the internal economy of the village system, the superintendents will "have nothing to do independently of the Collector."*

(True Copies.)
(Signed) T. PYCROFT,
Chief Secretary.

* Memoir paragraph 71.

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Papers respecting the Revenue and Police Departments, Madras.

JUDICIAL DEPARTMENT.

LONDON,
23rd *July*, 1856.

No. 12. *of* 1856.

Our Governor in Council at Fort St. George.

In reply to our Despatch of the 23rd August 1854, No. 8, referring for your consideration whether the arrangements in force for the superintendence of the local admininistration under your presidency may stand in need of improvement, you have fully communicated to us your views on this important subject in your letter of the 20th October 1855, No. 32. Important suggestions regarding your Revenue establishments had been previouly submitted in your letter in that Department, dated 25th September 1855, No. 42.

2. That improvement of the system in many essential respects is urgently necessary you entertain no doubt; but you are not of opinion that it would be attended with advantage to assimilate the Madras system with that of the two divisions of the Bengal presidency, by the appointment of local Commissioners of Revenue and Police. As the Madras districts are of greater extent than those of the other Presidencies, and yield a larger amount of revenue, the Collectors, who are officers of high standing, may, you conceive, be regarded, to a certain degree, as already performing the functions of Commissioners. The change would, in your opinion, tend to swell correspondence and to retard the despatch of business. To these reasons may be added the objection that always applies to any great changes in the established modes of proceeding to which official authorities and the community in general have been habituated.

3. The increase of efficiency which you conceive to be called for, is *under* the Collector and Magistrate, and that chiefly in the shape of uncovenanted agency: The only addition to the means of superintendence recommended by you in the Revenue Department is that of a fourth Member of the Board of Revenue; and you state that, when that addition has been sanctioned, you propose to recal the absent member of the Board, and to discontinue the office of Commissioner in the Northern Circars.

4. In declining to recommend the appointment of Commissioners of Revenue and Circuit as in Bengal, you have pointed out that the superintendence over magistrates formerly exercised by the provincial courts, which were abolished by Act VII. of 1843, has devolved upon the Session Judges, and is more habitual under the present than it was under the former system, though more exposed to local influence.

5. The improvement suggested by you with regard to the Magistrate, is of the same description as that which you had proposed with regard to the Collector in your letter above referred to, viz., a relief from petty details and an increase in the number of officers under him, both Covenanted and Uncovenanted.

6. You also recommend that the stipendiary Police in each district be withdrawn from revenue duties, and placed under a Superintendent either Military or Uncovenanted, as in the Bombay districts, leaving the village officers, for the present, to be employed according to the ancient usages of the country, under the immediate authority of the Collector and Magistrate. We learn with much concern, and not without surprise, that the number of Gang Robberies

attended with aggravating circumstances, in the year 1854, amounted in the Madras districts to no less than 481; and the total number of Gang Robberies of all kinds to 1,724. Such results doubtless indicate a great failure either in the means at the disposal of officers charged with preserving peace and good order, or in their use of such means; and call loudly for a remedy.

7. With regard to your proposal that the entire control of the Police in the town of Madras, and in all the districts, should be vested in a Commissioner resident at the presidency, we have to remark that an appointment in a great degree similar has recently been abolished in the Lower Provinces of Bengal; that such an appointment has long ceased to exist in the North Western Provinces; and that a frequent clashing of authority might be apprehended if the Superintendent of Police in each district were subordinate at the same time to the Magistrate, and also to the proposed Commissioner, who from the Magistrate's position and the nature of his duties and engagements, could not be vested with any control over that officer.

8. Having taken the foregoing survey of the recommendations submitted by you in pursuance of our instructions noted in the margin,* it remains for us to assure you that they shall receive our deliberate consideration when reported upon by the Government of India, whose sanction you have solicited for the expense with which they would be attended. For many of the items of that expense we are unable to find adequate reason; and being most anxious that all practicable means should be employed for developing the resources of the country, and affording protection to the people against the violence of men setting the law at defiance, and no less against oppression and extortion by the inferior agents through whom the law and the public revenue must be administered, we cannot but express regret that the measures which you have proposed with that view, should involve so great an increase of expense as must throw some difficulty in the way of adopting them. The several items which you have enumerated amount to Rs. 6,43,600 per annum.† To this has to be added the proposed increase to the number of sub Collectors, to the salaries of Tahseeldars, and to the pay of the Police force, in number 17,636. You have made no allowance for any addition to the Revenue establishment in consequence of the withdrawal of so large a body from that branch of the public service. The increased expenditure could not, we compute, fall short of ten lacks of rupees per annum. Practical benefit must arise from the examination which the subject has undergone, and it will afford us the most cordial satisfaction to sanction any well considered improvement in your system of internal administration. But we should feel more reliance on your recommendation of what is really required, after the Governor has visited the interior of his presidency, and made himself practically acquainted with its wants.

We remain, &c.

(Signed) W. H. SYKES.

(,,) ROSS D. MANGLES.

&c., &c., &c.

* 23rd August 1854, No. 8.

† Uncovenanted Assistants	3,45,600
Commissioner and Superintendent of Police	2,20,000
4th Member of Board of Revenue	36,000
Increase of Collectors' salaries	42,000
Rupees	6,43,600

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Papers respecting the Revenue and Police Departments, Madras.

MINUTE BY THE RIGHT HONORABLE THE PRESIDENT OF THE COUNCIL OF MADRAS.

Dated 11th *September* 1856.

The Honorable Court, in their despatch in the Judicial Department No. 12 of 1856, dated 23rd July 1856, received 26th August 1856, remark on the views expressed by this Government on the proposed revision of the local administration in the letter of 20th October 1855, No. 32.

This letter was addressed to the Honorable Court in accordance with their invitation made in the despatch No. 8. of the 23rd of August 1854.

The Honorable Court in the despatch No. 12 of 1856, to which I propose to advert, after commenting on the recommendations of this Government, wind up with the following sentence:—"practical benefits must arise from the examination which the subject has undergone; "and it will afford us the most cordial satisfaction to sanction any well considered improvement "in your system of internal administration. But we should feel more reliance in your recom-"mendation of what is really required, after the Governor has visited the interior of his presi-"dency, and made himself practically acquainted with its wants."

An inference which might be drawn from this remark would lead to the supposition that this Government had deliberately (for thirteen months elapsed between the receipt of the Court's despatch, and the issue of the letter in reply,) recommended improvements which were not well considered; and, moreover, that I had been negligent in my duties by not visiting the interior of the presidency, and had failed to make myself practically acquainted with its wants.

I can, however, hardly suppose that this is the virtual meaning of the sentence, or that at the time when the despatch No. 8, of the 23d August 1854, was written, that it was intended that no answer should be made to the important inquiries contained in it until I had visited the whole of this presidency.

Circumstances might occur which would prevent me from travelling, and these have actually occurred; but it surely would not be deemed expedient on that account to postpone changes in the administration of the country which are urgently required.

If practical knowledge can only be acquired by this means, when, it might be asked, would any Governor General be able to recommend any one of the numerous requisitions made to him from the subordinate Governments?

Again, can it be supposed that I should have gained a clearer insight into the practice of torture, had I, instead of instituting a commission of enquiry, gone in search of it in the mofussil?

Had I adopted the latter course, I believe it would be quite possible that I should not have met with a single case.

I do not, however, wish in the least to dispute the advantage of possessing a knowledge of the country by ocular inspection. On the contrary, I am fully impressed with the great benefit to be derived therefrom, and I hope presently to show that it has been only from circumstances over which I had no control, that I am not already well acquainted with most parts of this presidency.

I am desirous, however, lest there should be any impression that there has been either omission or want of activity on my part, of freeing myself from any appearance of precipitancy

in making the recommendations now alluded to, and of accounting for my not having more largely visited the interior of the country.

It will be allowed, I think, at once, that the Capital is, in all nations, the locality where any one will acquire the fullest information on the system of administration; where public documents of every kind are most readily procurable; and where public officers of the largest experience, and of the highest attainments, are at hand to be consulted.

In addition, the Governor of Madras has the opportunity of constantly seeing officers from all parts of the presidency, who either are going on leave, or are returning from leave, or who are passing from one district to another.

In my opinion, a man must possess very inferior powers of observation and reflection, who, with these great advantages, cannot within a certain time be in possession of a good practical knowledge of the state of the country.

I would, moreover, here remark, that in the administration of Government, there are changes often proposed on which there may be much reason for hesitation and doubt; and in these cases it may be advisable to obtain a knowledge of certain localities before coming to a conclusion. But there are others also, more especially of general application, when the actual state of affairs is also unsatisfactory, that there can be no hesitation in coming to the conclusion that improvements are absolutely required.

After making every enquiry in my power, I came deliberately to the conclusion that many changes were seriously and urgently required; and knowing that my views were in accordance with those of most of the Officers of Government, all men of practical experience, I had no hesitation in recommending them to the notice of the Honorable court.

I may add that every day's experience has only increased my conviction of the necessity of measures of the nature of those proposed.

The subjects which came more particularly under consideration were:—

1st. Increasing the numbers of the Revenue Officers.

2nd. Adding to the strength of the Magistrature.

3rd. The re-organization of the Police force.

It is not my intention on this occasion to discuss the first point, inasmuch as the subject is under the consideration of the Commissioner appointed by the Government of India for the investigation of Civil Salaries.

I will only mention that I am at a loss to conjecture what objection there can be to allowing Uncovenanted Assistants in the Madras Presidency, when they are found so useful in every other part of India.

Our Civilians are overworked; the districts never have the proper complement of European Officers; and the result is that there is reason to suppose that large portions of revenue are lost by evasion of payment, and that the affairs of the districts cannot but fall into disorder.

At the time of writing, there is not a district which is not under-officered. Four have only a Collector and one Assistant, either a Sub-Collector or a junior; and in one of these the junior has resigned, and I have no means at the moment of supplying his place, except by sending a young man just out of college.

The Collector is the only revenue and magisterial European officer, in a district 5,700 square miles in extent, and containing 1,250,000 inhabitants.

On the second point, I shall have an early opportunity of giving an opinion, which I will offer when the report on the amalgamation of the courts comes under the consideration of Government.

I will only add here that the proposal for increasing the number of the Moonsiffs' Courts, and for entrusting them with criminal jurisdiction, appears to me a valuable suggestion, and likely to meet the great want which exists of a sufficient number of local magistrates.

On the third, I propose to comment at greater length.

I beg to state that I did not enter upon the consideration of this matter either with undefined ideas of the duties and efficiency of a Police force, or without practical experience on the subject in question, in which I have previously obtained satisfactory results.

I will at once mention that I believe that no Police force can be efficient unless it be placed under one command, and unless there be uniformity of discipline and of method throughout the whole body.

I conceive the duties of such a corps to consist in the preservation of the public peace, the protection of person and property, the prevention and detection of crime, and last, (though not least important to a government conducted by a few foreigners amidst vast masses of another race,) the procuring continued accurate information on the state of the country, and the feelings and sentiments of the population.

It must be evident that to secure the accurate and punctual performance of these important duties, the force must be under one head, who shall be capable of selecting suitable agents, and of combining plans for the accomplishment of the several objects in view; of directing the movements, of keeping up the communications, and of collecting information for Government.

Another point which I am of opinion is absolutely required for the proper formation of a Police corps is, that its members should be restricted solely to the duties above mentioned, and that judicial duties should on no account be joined with them, excepting such as may have reference to the internal discipline of the corps.

I believe the liberty of persons is seriously involved in this question, and that it cannot but suffer detriment to a greater or less extent in all cases where magisterial and police duties are devolved on the same officer.

Now, if these views are at all correct, either as to the objects to be attained by a police force, or as to the method to be employed in attaining them, there can be little doubt the method is totally different to the system established here at present; and that if the objects mentioned be those of a well organized Police force, they have not as yet been arrived at in the Madras Presidency.

I have no hesitation in stating my opinion, that it is scarcely possible to conceive a worse Police organization than that at present in existence, or one more unfit to meet the requirements which may be legitimately made upon it.

The theory is this: The Police force is supposed to be under the direction of the Judges of the Sudder.

Here at the outset we find the Judicial and Police officer combined.

How far the Judges enter into the affairs of the Police, I am not aware, but I know that on my arrival at Madras, such a thing as a list of the members and distribution of the police force was not to be procured from their office.

In fact the police of the country is entirely confined to each district under the Collector, and there is no general supervision whatever, and no regular communication from one district to another, or to any central office, on the several points of Police business, which so imperatively require combination of thought and action.

How far even there is any communication between the different talooks of the same district is doubtful, or depends, I imagine, very much on the orders of the Collector for the time being.

The want of combination and of effort, and the neglect of communication, were very remarkably manifested in the case of the murder of the late Mr. Conolly.

The assassins previously to committing the act, wandered about the district after having escaped from jail, without hindrance, it being at the same time known that they intended to perpetrate some fearful deed, the Tahsildars apparently taking no notice of them, and not even informing each other of their movements.

In the case of the murder of Mr. Horsley, the Police of Bellary appear to have been entirely baffled.

It is a matter for very serious consideration, and one to which I wish to call particular attention, that European Officers can be so easily murdered.

In the letter to the Honorable Court, the number of Gang and Highway robberies for the year 1854, was given.

I now give those for 1854,* for 1855, and for the first six months of 1856.

Return of Gang and Highway Robberies for 1854,* 1855, and for the six months of 1856.

	1854	1855	6 months of 1856.
	No.	*No.*	*No.*
Gang Robbery..	1724	1675	604
Highway do. ..	831	927	475
	2,555	2,602	1,079

It is only just, however, to state that the years 1854 and 1855 cannot be considered average years, as a severe drought had caused great want of food, amounting in some places to famine; and there was consequently an increase of crime.

At the same time, I feel bound to state the impression which I have acquired from all I have observed during my residence in this country, which is, that there is nothing to hinder any number of men who choose to attempt acts of violence or robbery, from committing them without much probability of prevention, and with a very fair chance of escaping detection.

But the most remarkable part of this system is, that it would appear to be of no importance that the Government should be in possession of any information or control on this subject.

The Government which speaks through its chief secretary, and receives information through him, is by his department in no way directly connected with the Police arrangements of the country.

I will give an instance which has lately occurred of the way in which this works.

While reading the translation of a native paper, I observed a statement to the effect that lately, at the chief town in a district of this presidency, half the body of a child had been found partially buried. It was conjectured that the child had been sacrificed to propitiate a demon, in order that he might favour some persons who were known to have been carrying on incantations for the purpose of finding gold.

I directed my private secretary to write to the Collector of the district, and to enquire if there was any truth in the story. His answer was that the facts were, he believed, as stated; the half body of the child had been found, that it bore marks of strangulation round the neck, and that it was true that some persons had been carrying on incantations, and were known to have sacrificed fowls and other animals, but he had failed in gaining information. He had offered a reward of Rupees 100, which was the extent of his power; but he had applied to the Sudder for leave to offer a reward of 500 Rupees, which was refused.

He thought he could have procured the necessary information for that sum. The child was not known, and had not been missed in the neighbourhood, and was supposed to have been bought at a distance, and brought into the town for the purpose.

*Corrected from the Sudder Returns.

Now the Sudder may have had good reasons for declining to sanction the increased reward. I at present have no information on that point. But as at present advised, I should have had no hesitation in sanctioning the additional reward asked for, or even a larger sum.

But here is a case of gross superstition, of supposed dealing in human life, and of child murder; in fact altogether, so far as can be ascertained, of a horrible tragedy, and which according to the system in force would never have come to the knowledge of those whose attention ought to be particularly directed to the provision of measures for preventing such crimes.

Had I not happened to read the native paper in question, the matter would probably have never been known to Government.

Errors and omissions will occur in the best systems; but when such faults can be shewn to belong legitimately to that which is in force, there should be no hesitation in correcting them.

I have stated that the Police is in fact confined to the districts. There is, moreover, no general system of discipline, none of instruction, none of recruiting.

Its efficiency depends entirely upon the Collector, who may or may not have qualifications for this particular service.

Under any circumstances, the Collector, with his other numerous duties, must leave the details to his subordinates. These are principally his Tahsildars. They are generally natives, and are at the same time Revenue Officers and Magistrates with limited power, in addition to being heads of Police.

Now without taking into consideration the laboriousness of these multifarious duties, I would ask, ought men with the education which they can only have had, with the habits which they must have acquired by being born and bred in an Indian community, to be placed in so trying a position, in which every facility for oppressing their fellow men is at hand, and in which the probability of escaping detection is very great.

I find by the returns of the Sudder, that the number of persons who come annually under the jurisdiction of the district Police (that is to say, the native Tahsildars and Ameens,) in criminal cases alone averages about 180,000.

The number of cases is not given in the Return.

There are two hundred and forty four Tahsildars and seventy seven Police Ameens throughout the presidency.

The Honorable Court observe in their despatch, paragraph 7—"With regard to your proposal "that the entire control of the Police in the town of Madras and in all the districts, should be "vested in a Commissioner resident at the presidency, we have to remark that an appointment "in a great degree similar has recently been abolished in the Lower Provinces of Bengal; that "such an appointment has long ceased to exist in the North West Provinces; and that a frequent "clashing of authority might be apprehended, if the Superintendent of Police in each district "were subordinate at the same time to the Magistrate and also to the proposed Commissi-"oner."

I am not aware of the circumstances which caused the abolition of the Office of Commissioner of Police in Bengal and in the North West Provinces; neither am I acquainted with the system which had been established under that officer in those governments; and it would require a minute enquiry into those circumstances, and into that system, to enable me to judge whether the principle I have laid down, as the only one on which an efficient Police can be established, was in any degree carried out.

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Papers respecting the Revenue and Police Departments, Madras.

With respect to the clashing of authority between the Magistrate and the Commissioner, I am induced to think that any collision of the kind might be entirely avoided.

The Magistrate, as a Judicial Officer, I hold, should have nothing to do with the Police.

I believe such a combination of duties must, speaking generally, tend to compromise the officer, and to endanger the liberty of the subject.

The Collector and Magistrate should be considered as the chief administrative officer of Government in each province.

In this capacity he would direct the distribution of the Police, and call for their services when required; but he would have nothing to do with the interior economy of the force. That would be regulated by the Commissioner under the orders of Government.

It was supposed that the same difficulty would occur by separating the Maramut establishment of each district from the Collector, and by placing it under a district engineer in the Public Works Department. But practically this has not been found to be the case.

The question of expense is one of far more serious consideration under the financial circumstances of the country.

But I believe it would not be so much in excess of the present cost as may be conjectured.

I am of opinion, that on an average there should be one Police constable to every thousand inhabitants. Estimating the population of the presidency at 22,000,000, the police force should then be composed of 22,000 men.

The returns of the present force, so far as they can be ascertained, (the Police and Revenue establishments being so mixed up together as to render any division almost impossible,) give 18,000 men. To this number must be added the three Sebundi forces of Ganjam and Vizagapatam, the Kurnool horse, and the Malabar Police force; in all about 1,000 men.

Then, every year applications for additional men to be employed temporarily from some of the Collectorates, are made and sanctioned.

So that the actual force equals very nearly, in numbers, that which it is proposed to organize.

The European officers, one to each district, and the mounted portion of the force, would be the chief additional expense.

Both these I consider to be absolutely required. In fact it would be useless to attempt a re-organization of the force without, in the first instance, appointing a European officer to each district.

The mounted men would be introduced gradually, and need be no great expense at first.

On one point, since formerly writing on this subject, I have very decidedly changed my opinion; and that is with respect to the village police.

They, I think, should be under the same control as the district police, in order to ensure uniformity of discipline and action.

The chief difficulty in effecting this would be caused by the pernicious custom which has generally prevailed of paying these men by service Inams, which have been allowed to become hereditary. But as these Inams were abolished in Tanjore and Tinnevelly with good effect, there is no reason why the same course should not be gradually adopted throughout the presidency.

One other consideration I have to urge on this subject, which I think deserves serious attention.

The principal danger to the Indian Empire is to be found on its Western frontier.

Should a formidable attack be made on it in that quarter, the Madras Army would have to act as the reserve to the forces of Bengal and Bombay.

The Madras Army, under the new arrangements, now covers nearly the whole peninsula of India to the south of the 22nd degree of latitude; and, in addition, occupies Pegu and the Straits.

In the case of its being called on to move up in support of the other armies, the only disposable troops would be those stationed within the limits of the presidency.

In a case of emergency these territories must be denuded of them.

In such a dilemma, what would there be to fall back upon? Positively nothing, except a very timorous population, whose loyalty would be paralysed on any reverse overtaking our arms.

But the position of the Government, in case of such a predicament befalling it, would be totally different, were there a well organized police force composed of well trained men, accustomed to discipline, and combined with the confidence which it alone can give.

I hope I have now shown that the views expressed by this Government were not given lightly, or without reason.

The errors in the present Police system, if errors they be, were as patent two years ago as now.

It is satisfactory to me to have this opportunity of again stating my opinion on the subject.

I am desirous that it should be understood, that I think the changes proposed are urgently required; and whilst pressing the re-organization of the police, I would as forcibly advocate the separation of the functions of the Magistrate, so far as they are judicial, from that of the Chief of police.

I believe the latter change is as much required, in order to maintain the liberty of the subject, and to prevent any probability of oppression or violence, as the former is for the protection of life and property, and for the service of Government.

I would also add that I see nothing to prevent the early adoption of these measures.

I now proceed to write a few lines on the second point, viz., my not having as yet visited the interior of the country.

This has been caused not from unwillingness on my part, but from the force of circumstances.

I arrived at Madras at the end of April 1854, and after making myself acquainted with the details of administration, &c., I proposed, in October of that year, to reach the northernmost point of the Northern Circars, and to march down thence to Madras, inspecting all the points of interest on the way.

The execution of this plan was prevented by the breaking down of the only steamer belonging to this Presidency.

The Steamer was subsequently condemned as unseaworthy, and since then this Government, with a sea coast of 1400 miles, has been without any Steam Vessel.

The monsoon had at that time set in, so that I could not proceed on my proposed tour by land; and had travelling at that season been practicable, I could hardly have afforded time to go and return by the same route.

Early in 1855, Lord Dalhousie was expected to land at Madras, on his way to the Neilgherries, when my presence would necessarily have been required; but he ultimately determined on disembarking on the Western Coast.

He, however, expressed a wish that I should join him on the Neilgherries; but some delay occurred in fixing his plans, and I was not appointed to go there till September. After remaining six weeks, I was obliged to return rapidly to Madras, in order to receive him in November previously to his embarkation for Pegu and Calcutta.

I was, however, able during the journey from the Hills to Madras, to visit portions of the districts of Coimbatore, Trichinopoly, Tanjore, South Arcot, and Chingleput.

Lord Canning was then expected early in 1856, and reached this in February.

On his departure, the hot season was just commencing, when marching should if possible be avoided; and subsequently, I have been waiting in hopes of receiving definite orders on the affairs of the Nabob of Arcot, and of the Raja of Tanjore.

Previously to the receipt of this despatch from the Honorable Court, I had communicated privately with the Governor General on this very subject, and had expressed my hope that I might be informed at an early date, of the views of the Government of India on the above-mentioned matters, in order that, if possible, I might not be detained at Madras.

The Governor General has, I am aware, kindly put himself to some inconvenience in order to meet my wishes.

Instructions were received by the last Mail on the Raja of Tanjore; and I hope that those on the affairs of the Arcot family may arrive by the next.

I would here point out that whilst I have thus been prevented from visiting the interior of the country to any great extent, I have been enabled to supervise the introduction of many important changes of administration which were urgently required, and which would certainly have been postponed had my absences from the presidency been more frequent.

I will enumerate some of these which are of general interest:—

1st. A general temporary remission of taxation on lands thrown out of cultivation on account of excessive assessment.

2nd. Remission on wells and other improvements made by ryots.

3rd. A temporary re-assessment called for from all Collectors, pending a survey, and already effected partially in North Arcot, South Arcot, Salem, Trichinopoly, Nellore, Madura.

4th. A plan for a general survey and assessment.

5th. The abolition of the Mahratta language in Revenue Accounts.

6th. The entire change of system in the village talook and district accounts, partially carried out, eventually to be universally adopted.

7th. The codification of the various regulations and acts, about fifteen or more in number, bearing upon revenue subjects, into three acts.

8th. A proposition for a Commission to enquire into the validity of all Inams.

9th. The organization of the Public Works Departments, a subject requiring constant supervision, and not even completed yet.

10th. The organization of the Educational Department.

11th. The establishment of a monthly pre-audit, instead of a yearly post-audit, in the Civil audit Department.

12th. A proposition for the improvement and enlargement of the subordinate medical Department.

13th. A proposition for affording opportunities for instruction in their profession for Military Officers.

14th. Rules for examination to be passed by all uncovenanted servants on entering the service, and before obtaining promotion.

15th. The reports, commission, investigation &c. on torture.

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16th. The establishment of exhibitions at Madras, agricultural and cattle shows in the provinces.

These are all subjects which required constant supervision and attention, and which I have no doubt have been supported on their first institution with much greater effect by the Governor when present at Madras, than if he had been frequently absent.

In making this statement, I would wish by no means to attribute to myself any particular merit.

I have done nothing more than endeavour to give full scope to the valuable suggestions afforded me by the many able and zealous servants of the Honorable Court, whom I found desirous of improving the state of this country, and with whose labours I have endeavoured to co-operate to the best of my abilities.

(Signed) HARRIS.

P. S. Since writing the above, I have had the opportunity of looking through the Fourth report of the Commissioners for the reform of Judicial establishments and Judicial procedure in India.

I find that they condemn the practice of entrusting criminal jurisdiction to Tahsildars; and their plan for the institution of subordinate criminal courts appears to involve the necessity of the separation of the Judicial power from that of Police.

(Signed) H.

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APPENDIX No. 485

Revenue and Police Department, Madras.

MINUTE BY THE HONORABLE WALTER ELLIOT, Esq.

Dated 27th September 1856.

I have read the minute of the Right Honorable the President with the care and attention which the importance of the subjects discussed in it, demand. On most of these the views of this Government have already been expressed; and had I been present on these occasions, I should not have felt it necessary to enlarge on them again.

But I was absent when the state of the Police came under consideration.

I feel bound, therefore, to state on this occasion the conclusions at which I have arrived on a subject of such importance.

I fully concur with the President as to the character of the existing police—its faulty organization—its defective working. For purposes of prevention it is useless, for those of detection it is far from successful.

In addition to the examples referred to by Lord Harris, I would refer to the unsuspecting security of the police of Canara on the occasion of the insurrection in 1837, the origin and object of which continue a mystery to the present hour; to the fanatical ebullitions of the Mahomedans at Cuddapah, Sirci, Bangalore and other places in 1832, the cause of which has never been traced; to the extensive combinations of the Wahabees in 1838—39, which eluded the observation of nearly all the Mofussil Magistrates, and were principally developed by the exertions of the late Chief Magistrate of Madras, the only officer with an efficient establishment at his disposal. These, and many other instances which could be added, afford illustrations of the little that is known regarding the movements and designs of the native population, and of the small success achieved by attempts to probe them.

I think it is not difficult to explain the cause of this state of things.

The system of police now in force is that which was left by the Native Governments which preceded our rule. We took it exactly as we found it. It has been little altered, and in no wise improved.

The foundation of the system is the Village Police.

The hereditary headman of the Village with his scribe, (the Curanum,) the Watcher and his Assistants, the Velter, form the working agency.

These were subject to the district or pergunnah officers; and these again to the Governor of the province.

There was no division of authority. All power, whether Revenue, Judicial, Military or Police, was concentrated in the same functionaries throughout their several grades.

They were not fettered by forms of procedure, or rules of Law.

When a crime was committed, the inhabitants of the village were held responsible. They were bound to produce the perpetrator, or to make good the loss, or were subjected to fine. If they succeeded in tracing the criminal to another village, the responsibility was transferred to it.

The system was rude. Its action was often arbitrary. But it imposed upon all an interest in maintaining order.

Under vigorous control it repressed crime, but its efficiency depended on the personal character of the individual in authority.

The same machinery is still retained, but its working is changed.

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Village officers are no longer held answerable. It is thought unjust to amerce them for failure of success. The stimulus of joint responsibility is gone. Owing to the peculiar framework of Indian society, the interest of the people is confined to their own village. No solicitude is felt for matters beyond its limits. They have therefore no object in giving the hue and cry to trace the thief who has robbed their neighbours.

The proceedings of the Magistrate are under the supervision of the Judicial Officers; the control of his subordinate agents under those of the Revenue. Every act and order and sentence is reviewed by the sessions Judge and Court of Sudder Adawlut. Every fine or removal of a peon or village officer, is subject to the revision of the Board of Revenue.

Divided control itself weakens efficiency. But this is not all.

The Courts require an adherence to forms of procedure, and are guided by rules of evidence which more often protect the criminal than satisfy the ends of justice.

Their tenderness in dealing with offenders, their unwillingness to convict without the clearest testimony, their fastidiousness in estimating the value of evidence, are carried to an extreme. It may be that a sub-judge feels loath to act on his single judgment when there is the smallest room to doubt. It may be that where the office is obtained by the chances of the service, not by the possession of judicial qualifications, there is often a want of the firmness and self reliance required for arriving at a decison under such circumstances.

Whatever the cause, the effect is unquestionable. The chances of escape, compared with those of conviction, are in favor of offenders.

Professional robbers let loose, are encouraged to persevere in crime. Honest men are deterred by dread of their vengeance from appearing against them. Heads of villages relieved from responsibility, are often in league with the thieves. The village watcher, selected originally from the predatory tribes, instead of serving as a check, becomes their ally.* Systematic plunder by organized bands is carried on with comparative impunity. The Magistrate is discouraged. The exertions of the Police are relaxed. They may trace the authors of individual acts of violence, the outbreak of angry passions, but they fail in tracing crimes against property whether perpetrated by fraud, or by open spoliation.

Whenever this system has been found to produce evils of efficient magnitude as peremptorily to call for a remedy, it has been found by suspending the system itself. Such is the explanation of Acts XXX of 1836, XVIII of 1837, XVIII of 1839, XXIV of 1839, XXIV of 1843, XXIII of 1854, &c.

But it is only when suffering has become intolerable, that relief is afforded. Meantime the people are left exposed to all the misery which insecurity of person and property produce.

I believe this to be the condition of the rural population in all the Regulation provinces.

In the Non-regulation provinces the case is different. There the police is kept efficient by the unity of authority, and the large discretionary powers vested in the officer at the head of affairs. The officers selected for such positions are men of acknowledged ability, and they exercise a large control over extensive tracts, and over numerous subordinate officers.

In a Regulation district every man rises to the head of a department in his turn, and these departments are co-ordinate and independent of each other in the same Zillah.

But the division of labor has been partial, and to secure efficiency, it should be complete.

The Judicial functions have been committed to a distinct body of officers. The revenue, magisterial, and police duties have been left conjoined in the same hands to another.

* This curious arrangement appears to be universal throughout Southern India. In the Carnatic the Taliars are taken from the Moravers and Kullers; in Mysore from the Bedars; in the Dekhan from the Ramaveris; in Engirah from the Kulis; in Central India from the Bheels, &c., &c., all of them professed and hereditary robber tribes.

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Revenue and Police Department, Madras.

Either there must be unity of authority and action, or the separation of functions must be carried to its legitimate extent.

But we cannot retrograde. It is too late to go back to a primitive form of administration.

Every branch of the administration, therefore, must be made complete in itself.

The police requires a separate organisation.

The magistracy must be separated as far as practicable from the police.

The cost of such changes will be considerable; but the expence will be small in comparison with the magnitude of the evils to be corrected. I do not consider it necessary to separate the magisterial entirely from the revenue functions at present.

The Collector and his Assistant should still perform the duties of the magistracy as far as relates to the disposal of minor offences. But Tahsildars should be relieved from all such power, which should be committed to Uncovenanted Deputy magistrates, conveniently located.

Act XII of 1854 provides the means of supplying such functionaries at once. Their numbers may be increased, and the more intelligent, or 1st class Moonsiffs, may be made committing Officers.

I concur with the President in the propriety of placing the police of each zillah under a distinct superintendent, subordinate only to the Collectors, but invested with exclusive direct control over all the police of the district.

This should include the established village police, which I would make as efficient as possible, and which should be organized specially as a *preventive* police.

I attach little value to the constabulary or peon police for such purposes. Their employment should be mainly directed to detective duties, and to the general supervision of the village police under the superintendent.

Some increase to their numbers will be required, because a portion of the present body will have to be allotted to the Revenue department for exclusively revenue purposes.

But a body not exceeding the whole number of those now enrolled, should be systematically trained to the peculiar duties of a police force; and I entirely concur in the advantage of having a certain proportion of them mounted.

I have long been convinced of the great value of such a description of force, and I have seen it exemplified in the occasional employment of irregular horse in police service.

It will be necessary to appoint a police headman in addition to the Revenue headman in every village. The village moonsiff was entrusted with Judicial in addition to Revenue powers by Regulation IV of 1816. But the plan has never worked. Such powers, both judicial and police, are inherent in the office, but they can only be exercised under a native government, or under a non-regulation administration. They are incompatible with the division of labor required under the Regulations.

One of the Curunums should also be allotted exclusively to the police. The Taliar or Watcher and a proportion of the Velter or Village serfs, and of the Cuttoobaddies or village militia, where they exist, would be under the exclusive orders of the Superintendent of Police.

I think it would be advisable to introduce the plan experimentally into one Collectorate or province first, to test its working and supply its defects.

It should then be gradually extended to all.

But whatever may be the details of the system to be finally adopted, there can, I think, be no question, that the old police of the Regulation provinces has become effete and powerless, and that it can only be revived by a thorough reorganization under separate responsible superintendence.

(Signed) WALTER ELLIOT.

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APPENDIX No. 484 and 485

Papers respecting the Police Department, Madras.

No. 1531 *of* 1855.

JUDICIAL DEPARTMENT.

BOMBAY CASTLE, 18*th April* 1855.

To

The Secretary to the Government of Fort St George.

SIR,

With reference to your letters dated respectively the 24th October 1854, and the 2nd January last, No. 764 and 3, I am directed to forward for your information copy of a Memorandum which will furnish the information therein required.

I have the honor to be,

(Signed) H. L. ANDERSON,

Secretary to Government.

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Memorandum by the Judicial Secretary.

In this letter the Government of Madras requires information on five different points :—

1st. The extent to which the new system of Police has been carried out in the Bombay districts.

2nd. The success which has attended it.

3rd. From what classes are the Superintendents of Police taken ?

4th. Whether any of them are Covenanted Civil Servants.

5th. The Salaries of the Appointments.

2. On the first point, the Government of Madras may be informed that the system has been introduced throughout the whole of the Regulation districts of the Bombay presidency.

3. On the second point, it may be generally stated that the system has worked well, both for the prevention of crime, and the detection of criminals. It may, however, be expected to work far better when the gradual re-organization of the Village Police has been completed, and when a more efficient supervision of the Superintendents has been established. The latter object it has been proposed to attain by the appointment of a magistrate of experience as Commissioner of Police. This officer will be able to visit each zillah during the year, and ascertain by personal examination the defects in the operation of the new system. The Supreme Government has been solicited for its sanction to this appointment, and the reply to the reference from the Government of Madras has been kept back until the views of the Government of India on this proposition have been announced. But as the Government of Madras has somewhat urgently required a reply to its questions, the present memorandum has been prepared.

4. The Superintendents of Police are all military officers, with the exception of the superintendent of Belgaum, and the acting superintendent of Dharwar, who are uncovenanted servants. The superintendent of police in Belgaum had formerly been foujdar of Poonah, and just before the introduction of the new system, had been employed in Belgaum in re-organizing the Shetsundees of that collectorate into an efficient village police. The acting superintendent of Dharwar had also had some experience of police duties in the provinces of Scinde.

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APPENDIX No. 483

Papers respecting the Police Department, Madras.

5. With reference to the fourth point, it may be stated that none of the superintendents of police are Covenanted Civil Servants.

6. The salaries of the Superintendents of Police, as they at present stand, are shown in the first column of the subjoined statement, the second column of which exhibits the scale in accordance with which the salaries are to be modified as vacancies occur. It should also be mentioned that superintendents of police of less than five years' service in the police, receive a deputation allowance when actually employed in the districts, of rupees five per diem; and those of more than five years' service in the police, of rupees ten per diem. It should also be explained that the irregularity in the present rates of remuneration is caused by the fact that many of the present appointments have been created from previously existing appointments of Commandantships of police corps, under the various denominations of Rangers, Provincial Battalions, Bheel corps, &c., &c. The revised scale has been formed with reference to the extent and responsibility of each charge :—

	PRESENT. Rs.	FUTURE. Rs.
Superintendent of Police, Khandesh, and Commandant of the Bheel Corps..	1,100	1,100
Second Assistant	600	600
Third Assistant	600	600
Adjutant of the Bheel Corps.	500	500
Superintendent, Ahmednuggur	716	800
Assistant Superintendent in charge of the Sub-Collectorate of Nassick..	427- 8	500
Superintendent, Belgaum.	500	800
Do. Tannah	800	700
Assistant Superintendent, Tannah.	600	To be abolished.
Superintendent, Sholapoor..	556-10	700
Do. Ahmedabad	645- 6	700
Do. Dharwar	915- 6	700
Do. Poona	604	600
Do. Rutnagherry	645- 6	600
Do. Kaira	645- 6	600
Do. Surat	525-12	500
Do. Broach	556-10	500

(Signed) H. L. ANDERSON,
Secretary to Government.

APPENDIX No. 486 and 487

Papers respecting the Police Department, Madras.

No. 1537.

From

C. BEADON, Esq.
Secretary to the Government of India.

To

J. D. BOURDILLON, Esq.
Secretary to the Government of Fort St. George.

FORT WILLIAM, 21st *November* 1856.

SIR,

Home Department, Judicial.

I am directed to transmit the accompanying copy of a Despatch, No. 41 of 1856, dated the 24th September, from the Honorable the Court of Directors, regarding a proposed general re-organization of the Police of India, and to request that, after consideration of the Honorable Court's suggestions, the Right Honorable the Governor in Council will favor the Supreme Government with such observations on the subject as His Lordship in Council may feel disposed to offer.

I have, &c.

(Signed) C. BEADON,
Secretary to the Government of India.

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LONDON, *the 24th September* 1856.

JUDICIAL DEPARTMENT.

No. 41 of 1856.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

Our attention has been directed, on various occasions of late, to the character and proceedings of the Police in different parts of India; and the reports which from time to time have been laid before us have combined with many incidental notices of failure or abuse, to deepen the conviction that an immediate and thorough reform of the Police in all the old provinces of British India is loudly called for.

2. In considering the measures to be taken for effecting such a form, it will be necessary to advert very briefly to the arrangements already existing in the several presidencies, to the evils of the present system, and to the duties for which provision must be made.

3. The districts in all the presidencies are sub-divided into several subordinate jurisdictions each of which has its local Police. "In Bengal the local Police "are prohibited from enquiring into cases of a petty nature, but "complaints in cases of the more serious offences are usually laid before the Police Darogha,

First Report, Indian Law Commission, Page 119.

"who is authorized to examine the complaint, to issue process of arrest, to summon witnesses, to "examine the accused, and to forward the case to the Magistrate, or submit a report of his pro-"ceedings according as the evidence may, in his judgment, warrant the one or the other course." They are, in fact, charged with all the duties of a preventive and detective Police. In the Lower Provinces they exercise no Revenue functions, but in the North Western Provinces, the Tehseeldars may be vested with the powers of Police Daroghas at the discretion of the Government.

4. The duties ordinarily performed in Bengal by the Police Daroghas are, in the Presidency of Madras, performed by the Tehseeldar, who, as his title implies, is also a Revenue officer. The powers of the Tehseeldars however are much more extensive than those of the Police Darogha. A Tehseeldar is authorized not only to enquire into petty cases, which the Bengal Darogha is prohibited, on pain of dismissal from office, from investigating, but also to proceed in certain specified instances to judgment, sentence, and the infliction of punishment.

5. In Bombay, the Revenue and Police functions were, up to a recent period, as much combined in the same officers as at Madras. In their police capacity, these officers were authorized to investigate all complaints of a criminal nature, and, like the Tehseeldars of Madras, exercised a penal jurisdiction in respect of certain petty offences. A material alteration, however, has recently been made. An officer styled Superintendent of Police has been placed under the general orders of the Magistrate. While the Magistrate confines himself for the most part to judicial and administrative matters, the Superintendent has the control of the Executive Police, and the command of the entire stipendiary body, with the initiative in the prevention and detection of crime. To aid the Superintendent in the supervision of the district Police, there is placed in each Police division under his orders, an officer called Joint Police Amildar, whose duties in regard to the preservation of the public peace, and the investigation into crimes of a serious nature, are much the same as those of the Bengal Darogha, but who has no power to punish even the most trivial offences.

6. It thus appears that apart from the penal powers exercised by the Madras district Police, the Bengal Darogha, the Madras Tehseeldar, and the Bombay Joint Amildar, all act to a certain extent judicially when engaged in investigating crimes of a serious nature. They examine the parties and the evidence, and they form a judgment on the case to the extent of deciding whether it is one for immediate arrest of the accused, and transmission to the Magistrate, or otherwise. They are further required to act for the prevention of crime, and to apprehend and bring to justice all persons charged with serious offences.

7. That the Police in India has lamentably failed in accomplishing the end for which it was established is a notorious fact; that it is all but useless for the prevention, and sadly inefficient for the detection of crime is generally admitted. Unable to check crime, it is, with rare exceptions, unscrupulous as to its mode of wielding the authority with which it is armed for the functions which it fails to fulfil; and has a very general character for corruption and oppression. There is, moreover, a want of general organization, the force attached to each division is too much localized and isolated, and the notion of combination between any separate parts of it, with the view of accomplishing the great objects of a body of Police, is seldom entertained.

8. The evils, then, with which, under the existing system, we have to contend, are to be found both in the character, and in the want of organization of the Police.

9. The chief cause of the inefficiency of the Police is what operates in all countries where it is not adequately overlooked and controlled. Accordingly it is found in India, that only in districts of less extent than usual, or favored by an extraordinary degree of zeal, activity, and bodily strength on the part of the Magistrate in the habit of making frequent tours, are the misconduct and corruption of the subordinate Police systematically subjected to be checked by the higher intelligence and sterling honesty which happily distinguish the Covenanted servants of the Government of India.

10. And yet, notwithstanding their possession of these high qualities, combined in frequent instances with zeal and energy of no common order, it is, we repeat, not too much to say that effectual supervision and control have seldom been exercised by the English officers in charge of the Police. This, in our opinion, is the cause of failure; and the reasons are briefly these, the enormous size of the districts committed to the hands of each officer in charge of the Police, and the conflicting and distracting claims of other important duties, which would have been in themselves sufficient to incapacitate those on whom they are imposed for the effectual superintendence of a Police formed of such materials as we have described, even had these respective jurisdictions been of such an area as to render it physically possible that they should keep any considerable proportion of their subordinate agents of the system under their eyes, and hold them properly in hand. If proof were needed of the truth of this position, it might be given in the simple circumstance, that whenever it has been found necessary to grapple effectually with any particular crimes, such as Thuggee or Dacoity, an entirely separate instrumentality has been found to be indispensable for the purpose, and generally successful; and yet, although specially selected for the peculiar duty, and acting in a comparatively limited sphere, the European officers employed to investigate these terrible crimes, and to apprehend the offenders, have not always been able to prevent their native subordinates from harassing and preying upon the community.

11. In justice to the Native officers of Police, mention of one other chief cause of failure must not be omitted. Although some practical improvement has taken place of late years, the majority of the principal officers of the Native Police are much underpaid, in relation not merely to the importance of their functions, but even to the necessary expenses of their employment in the public service, and of their social position.

12. To remedy the evils of the existing system, the first step to be taken is, wherever the union at present exists, to separate the Police from the administration of the land revenue. No Native officer should be trusted with double functions in this respect. We do not see the same objection to the combination of magisterial and fiscal functions in the hands of our European officers, because we can better hope they will not abuse their powers; and because by employing the Collector as the principal Magistrate of each district, we are able to obtain for the chief administration of the penal laws a more efficient, and especially a more experienced class of officers than would otherwise be available. This is an important consideration, which ought never to be lost sight of. Nevertheless, it is still more important that the officers who control the Police should be required to undertake frequent tours of their districts. And they must not be so burdened with other duties, such as the preparation of Forms, Returns, and Statements, as to be deprived of the time sufficient for this essential purpose. This supervision exercised by intelligent officers, who are accessible at all times, is the most certain and effectual check to every abuse of authority by subordinate servants of Police.

13. In the second place, the management of the Police of each district should be taken out of the hands of the Magistrate, (who would thus have more time for exercise of the double functions adverted to in the foregoing paragraph,) and be committed to an European officer with no other duties, and responsible to a general Superintendent of Police for the whole presidency.

14. Finally, we must endeavour to raise the status, and to secure the honesty of the principal Native Officers of Police by raising their salaries, so as at once to place the legitimate emoluments of their several appointments in a nearer relation with the importance of their functions, with the trust that must necessarily be reposed in them, and with the great value to the people of good and honest service on their parts, and at the same time to render the tenure of their respective situations an advantage not to be lightly risked for the sake either of factitious and temporary credit with their superiors, or of illicit gain. In remodelling the Police, it might be advisable, as a general measure, to admit only those old officers of Police at the higher salaries who have distinguished themselves by remarkable zeal and efficiency. We think that a large

portion of those taken into the new Police should be men who have had nothing to do with the old system.

15. We are quite aware that the practical measures to which we have above adverted will not accomplish all that is requisite to a thorough reform of the Police in India. But we are persuaded that much practical improvement of the existing state of things may be effected by a better system of supervision and control, by an adequate scale of emoluments, by promptly rewarding the deserving, and by more certainly and severely punishing the corrupt and cruel.

16. These measures, however, must be accompanied by another of the utmost importance. One great object to be aimed at in the reform of the Police, is to convince the people that Government is earnest in its endeavours to place the system upon such a footing as shall most effectually secure the end for which it has been instituted. To ensure this, it will be necessary to make material changes in the constitution and organization of the Police. The existing force is so condemned by the authorities, and so hated by the people, that a mere attempt at reform without such changes would be a serious error, and would bring about its own failure, from the public and general conviction of its inadequacy to the great object in view. We observe with deep regret the long continuance of this evil under our administration. We think it desirable that an enactment should be passed vesting in the Magistrate, or Superintendent of Police, the power of summarily inflicting severe punishment on policemen in proved cases of delinquency, and that the local Government should be invariably apprized of instances of their intelligence and intrepidity, and be prompt and liberal in rewarding such conduct.

17. The Police in all the presidencies, as already observed, are charged with various duties. They are required to preserve the peace, to prevent crime, to investigate crimes committed, to detect and arrest offenders, and to procure evidence of guilt. Their duties are both of a preventive and of a detective character. In the regulation districts of the several presidencies, these duties are combined in the same persons; in some other parts of India, as in the Punjab, they are separated.

1st Report on the Punjab, page 33.

18. "The Police establishments of the Punjab may be "ranged under two heads, namely, the preventive Police with "a Military organization, and the detective Police with a Civil organization." These two bodies have been in existence for some years, and have done good service.

19. It will probably be objected at the outset, that while the Police of the Punjab may be well adapted to the condition of the country in which it is employed, it is wholly unsuited to the condition of the territories which for a very long time have had a Police with nothing of a military character.

20. We do not desire, of course, that the preventive Police should be of the same strength in those parts of India which have been for the longest period subject to our rule, and where the crimes committed are generally those of fraud and stealth, as in those provinces where the habits of the people are predatory and turbulent. The general plan should be modified so that it may accommodate itself to the various circumstances of the country and the people. But with this obvious condition, we see nothing to prevent the extension of the system which has worked well in the Punjab, into our older possessions; and if, under that system, the Police be properly organized, and efficiently superintended, and afford greater protection to person and property than is the case at present, difficulties will soon be overcome, and objections will disappear.

21. We think therefore it will be well to follow the system of dividing the Police into two separate portions, the preventive and detective, each having its own functions, and each organized upon the most efficient plan, the latter exercising only such judicial powers as may be absolutely necessary for the investigation and detection of crime, the former exercising no judicial powers at all.

22. The size of the districts in India should, however, be reduced as much as possible, and such measures adopted as would enable you to dispense with the expensive machinery above adverted to, which in its full extent is not adapted to our old possessions. The great distance of the Magistrate's Court from many parts of the territory subject to his authority, will render it necessary for the present to give the detective Police power to make preliminary enquiries, before the parties and the witnesses are required to appear before the Magistrate. Were the Moonsiffs, however, generally invested with criminal jurisdiction, or were a criminal Court with penal jurisdiction, and with power to conduct the investigation in serious cases preparatory to trial by a superior court, established in each division of a district, (one or other of which ends should, we think, be arrived at in all our plans for the improvement of the Police,) it would become a question whether the strength of the detective Police might not be considerably diminished.

23. The preventive Police should be charged with the preservation of the public peace, and with the adoption of necessary measures for the prevention of crime, but not with the preparation and production of evidence against criminals, which should be left entirely to the detective Police. The preventive Police should be one force for the whole presidency or Lieutenant Governorship, but sub-divided and stationed by the General Superintendent, under the orders of Government, in selected localities, in the way most conducive to the attainment of the objects contemplated in its formation. The detective Police might with advantage form a constituent portion of each battalion of the preventive Police under the European officers.

24. The Police of each presidency or Lieutenant Governorship, should be organized as far as possible upon a common plan for all India. It should consist of Horse and Foot, its larger divisions might be superintended by European Subalterns well acquainted with the language, and of not less than from six to eight years' service, and the whole should be superintended by one head. Its arms and equipments, clothing and internal discipline, should be such as to preserve the character of a Police, and to render it serviceable and efficient, without approaching an absolutely Military organization.

25. We have thrown out the foregoing remarks merely as suggestions upon a subject to which we attach very great importance, and we desire that you will take the subject into your early consideration, and, after communication with the other presidencies, report fully to us your sentiments as to the expediency of the general re-organization of the Police throughout India upon some such system as that which obtains with respect to the Police in the Punjab, or perhaps the Constabulary of Ireland, and as to the mode and cost of the proposed reform.

26. We would further suggest in connection with this subject, whether the influence, services, and means of information of the Landholders and European residents in the Mofussil might not be made more available than at present for purposes of Police, especially for the prevention and detection of the more heinous crimes.

We are, &c.,

(Signed) W. H. SYKES,
(„) ROSS D. MANGLES.
and other Directors.

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APPENDIX No. 488

Papers respecting the Police Department, Madras.

No. 116.

From

T. PYCROFT, Esq.

Chief Secretary to the Government of Fort St. George.

To

C. BEADON, Esq.

Secretary to the Government of India.

HOME DEPARTMENT.

Fort St. George, 24*th January* 1857.

Sir,

I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter of the 21st November last, No 1537, transmitting copy of a despatch from the Honorable the Court of Directors, No. 41 of 1856, dated 24th September, on the proposed general re-organization of the Police of India, and requesting that, after consideration of the Honorable Court's suggestions, the Right Honorable the Governor in Council would favour the Supreme Government with such observations on the subject as his Lordship in Council may feel disposed to offer.

2. The Madras Government, I am instructed to state, have received with high gratification this despatch of the Honorable Court. On previous occasions, as noted in the margin* they have so fully expressed their opinion upon the very important question to which it relates, that they have now but few observations to make. They proceed, however, to submit some few remarks on some points that appear to deserve notice.

3. It appears to be decided that, in the re-organization of the Police, the system to be adopted is, that there shall be in each Presidency,

1st. A Chief Commissioner, in whom will be vested, in communication, it is presumed, with the Chief Secretary to Government, the direction, discipline and internal economy of the Corps.

2nd. That there will be in each district a European Deputy Commissioner, with a sufficient number of subordinate officers, Europeans, East Indians or Natives, and of Peons.

3rd. That the duties of the officers shall be solely those belonging properly to a detective and preventive Police, not possessing a definitive judicial character.

4. These arrangements will, it is believed, be found to be in complete accordance with the proposals which have from time to time been recommended by this Government, and especially in the papers above marginally noted.

5. In the despatch now forwarded, certain suggestions are thrown out respecting the formation of the Police Corps, to which it may be proper to allude.

6. In paragraph 11, reference is made to the inadequate remuneration hitherto bestowed on the "Principal Officers of the Native Police," and the subject is recurred to in paragraph 14. The

*Letter to Government of India, 14th August 1855, No. 579, paras: 22-32, and Minutes of Members of Government, dated respectively 4th May, and 2nd June 1855.
Minutes of Members of Government on Honorable Court's despatch, 23rd July 1856, forwarded to Government of India, on the 2nd October 1856.
Do. on reports of Commissioners on Judicial Establishments, Judicial Procedure and Laws of India, forwarded to Government of India, on 27th November, 1856.

correctness of this statement cannot be questioned; but it is no less true as regards the inferior Police servants, Peons and others, and it is clearly hopeless to expect that, in situations where they are so much exposed to temptations, these men will act with integrity unless duly compensated for their services.

7. In paragraph 12, after observing that, although the first step towards a reform of the existing system is to separate the Native Police wholly from the administration of the land revenue, there may not be the same objection to the combination of fiscal and judicial functions in the hands of the European officer, the Court remark, "Nevertheless it is still more important that the officers who control the Police should be required to undertake frequent tours of their districts, and they must not be so burdened with other duties, such as the preparation of Forms, Returns, and Statements as to be deprived of the time sufficient for this essential purpose." This is an observation of great importance, and should be strictly attended to. The tendency of the present age is rather to exceed than otherwise in requisitions of Returns, &c., so that the time of officers is rather occupied in completing such documents, than in performing the active duties of their office.

8. The Honorable Court, in paragraphs 20 and 21, direct attention to the Punjab Police as a system which might be worthy of adoption.

9. So far as is to be gathered from the reports, the preventive Police in the Punjab form much more a Military Corps than would be necessary in this presidency, and the detective Police are to some extent under the direction of the revenue Tahsildars, a system now condemned.

10. The duties of the police must be detective and preventive, but they may well be performed by the same Corps, the detective portion of the force being organized for their special duties by their superior officers.

11. In the Punjab, I have no doubt a different description of force, and one of a more Military character, is required.

12. By the reports, the detective in that province appear to be nothing more than ordinary civil Police, except in so far as some of the superior officers perform duties which might properly belong to the office of Public Prosecutor.

13. The force of the Punjab appears very numerous, but no doubt necessarily so.

The Preventive Police.....	12,000.
The Detective.....	9,500.
For a population of.....	10,000,000.

14. In paragraph 24, instructions are given respecting the general character of the Police, and it is stated "its arms and equipments, clothing and internal discipline, should be such as to preserve "the character of a Police, and to render it serviceable and efficient without approaching Military "organization."

15. It is trusted that the latter part of this remark may be fully appreciated. The utility of a Police Corps is apt to be impaired in attempts to imitate the Military.

16. Whilst, however, some degree of similarity may properly be required in the clothing and equipments of these Corps throughout India, it is at the same time trusted that some considerable latitude may be allowed to the several Governments in their selection, in order that they may be able to adapt them to the habits of the people and the climate they inhabit.

17. It is evident that articles which may be admirably adapted for the service in the Punjab may not be suitable for Tinnevelly.

18. In paragraph 16, the Honorable Court remark "we think it desirable that an enactment should be passed vesting in the Magistrate or Superintendent of Police, the power of summarily inflicting severe punishment on policemen in proved cases of delinquency.

APPENDIX No. 488

Papers respecting the Police Department, Madras.

19. On this, I am instructed to state that, in obedience to the commands of the Honorable Court, this Government have recently forwarded to their Legislative Member, for submission to the Council, the draft of an Act for the punishment of abuse of authority by Native servants in the Revenue, or Police department. The Honorable Mr. Elliot has, however, objected to bring it before the Council, mainly on the ground that any special legislation on the subject would be superseded by the Penal Code which is now shortly to be enacted, and which contains provisions of a sufficiently stringent character for the punishment of these offences.

20. The same cause would probably disincline the Council to entertain the enactment suggested by the Honorable Court, and which would be of a more summary and special character than the Draft above alluded to. This Government must also submit, that entirely agreeing that misconduct in Police officers should be severely punished, they cannot but think that such servants should have a right of appeal equally with other men. They consider, moreover, that these officers should in the discharge of their arduous duties have the undoubted support of the Law, and that the same Act which gives the power of punishing them should also give the power of similar punishment on those who wrongfully charge them with offences.

21. The records of this Government will show how readily cases are got up against the Police, without any real foundation, particularly, at the present time, when it appears to be generally supposed amongst the people that any charge of Torture will be at once accepted as true.

22. In the commencement of the despatch, the Honorable Court call attention to the powers exercised by the Darogahs of Bengal, the Amildars of Bombay, and the Tehseeldars of Madras, in investigating crimes. The course to be pursued on this branch of the subject must be materially affected by the arrangements that may be determined on for the amalgamation of the Courts and dispensation of criminal justice generally.

23. If crime is to be quickly detected, and there is no such certain prevention of depredation for the future, there must be rapidity of action, and the Police must not be obliged to march for miles before they can get a case investigated, in order to obtain a committal.

24. The revision of the Judicial establishments with this view, with the reform of the stipendiary Police, and its due remuneration and constitution on a thoroughly effective footing,* together with the re-organization of the village Police which is not specially noticed by the Court, but which forms so essential a part of the Police system of the Madras Presidency, must needs be very costly, but the Government trust not unduly so, when the vast importance of the object in view is considered. In the absence of any instructions as to the general principles to be followed in the constitution and equipment of the force, the Government can form no conclusion as to the probable expense likely to be incurred. They venture, however, to recur to the opinion already expressed † that the first step to be taken would be the appointment of a Commissioner of Police for the whole presidency, who should, in immediate communication with Government, frame a detailed scheme of arrangements. The position which, in the opinion of Government,‡ the local Superintendents should occupy towards the Magistrates of the districts in which they are employed, was explained on the same occasion.

I have, &c.

(Signed) T. PYCROFT,
Chief Secretary to Government.

*Vide Minute by the Right Honorable the President, dated 18th November 1856, on the Reports of Her Majesty's Commissioners on the Judicial Establishments, Judicial Procedure, and Laws of India.

†Letter to Government of India, dated 14th August 1855, paragraph 30.

‡Ibid, paragraph 29.

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APPENDIX No. 489

Papers respecting the Police Department, Madras.

MINUTE BY THE RIGHT HONORABLE THE PRESIDENT OF THE COUNCIL OF MADRAS.

Dated January 1857.

I hail with great satisfaction this despatch from the Honorable Court.

I have already expressed my opinions on the subject of the Police at such length on more than one previous occasion, that it is hardly necessary for me now to recur to them.

There are, however, one or two points on which I would wish to record a few remarks.

It appears to be decided that in the re-organization of the Police, the system to be adopted is, that there shall be in each Presidency—

1st. A Chief Commissioner, in whom will be vested, in communication with the Chief Secretary to Government of course, the direction, discipline and internal economy of the Corps.

2nd. That there will be in each district an European Deputy Commissioner, with a sufficient number of subordinate officers, European, East Indians or Natives, and of Peons.

3rd. That the duties of the officers shall be solely those belonging properly to a detective and preventive Police, not possessing a definitive judicial character.

In the despatch some suggestions are thrown out respecting the formation of the Corps, to which I will now allude.

In paragraph 11, reference is made to the inadequate pay hitherto given to the Native officers. This is unquestionably true, but the statement is equally applicable to Peons or Police constables; and I would point out, that it is impossible to expect men to act with integrity in a position where so many temptations occur, unless they are well remunerated for their services.

In paragraph 12, it is remarked—"nevertheless it is still more important, that the officers "who control the Police should be required to undertake frequent tours of their districts, and "they must not be so burdened with other duties, such as the preparation of Forms, Returns, "and Statements, as to be deprived of the time sufficient for this essential purpose."

This is a very important remark, and which should be strictly attended to.

The tendency of this age is rather to exceed than otherwise in requisitions of Returns, &c., so that the service of officers is rather occupied in completing such documents, than in performing the active duties of their office.

The Honorable Court in paragraphs 20 and 21, direct attention to the Punjab Police as a system which might be worthy of adoption.

I must confess to have great doubts on that point.

So far as I can gather from the reports, the preventive Police forms much more a Military Corps than would be necessary in this Presidency, and the detective Police are to some extent under the direction of revenue Tehseeldars, a system now condemned.

The duties of the police must be detective and preventive, but they may well be performed by the same Corps, the detective portion of the force being organized for their special duties by their superior officers.

In the Punjab, I have no doubt a different description of force, and one of a more Military character, is required.

By the report, the detective in that province appear to be nothing more than ordinary civil Police, except in so far as some of the superior officers perform duties which might properly belong to the office of Public Prosecutor.

APPENDIX No. 489

Papers respecting the Police Department, Madras.

The force of the Punjab appears very numerous, and I have no doubt necessarily so.

The Preventive Police.....	12,000.
The Detective.....	9,500.
In a population of.....	10,000,000.

In paragraph 24, instructions are given respecting the general character of the Police, and it is stated "its arms and equipments, clothing and internal discipline, should be such as to preserve "the character of a Police, and to render it serviceable and efficient without approaching Military "organization."

I sincerely hope that the latter part of this remark will be fully appreciated.

The utility of a Police Corps is apt to be lost in attempts to imitate the Military.

I trust also, that whilst some degree of similarity may be required in the clothing and equipments of these Corps, yet that at the same time considerable latitude will be allowed to the several governments in their selection, in order that they may be able to adapt them to the habits of the people, and the climate they inhabit.

Articles which may be admirably adapted for the service in the Punjab, may not be suitable for Tinnevelly.

In paragraph 16, it is remarked, "we think it desirable that an enactment should be passed "vesting in the Magistrate, or Superintendent of Police, the power of summarily inflicting "severe punishment on policemen in proved cases of delinquency."

I am fully of opinion, that misconduct in policemen should be severely punished, but I think that they should have a right of appeal equally with other men; and I think, moreover, that, in their ordinary duties, they should also have the undoubted support of the law; and that the same Act which gives the power of punishing them, should also give the power of similar punishment for those who wrongfully charge them with offences.

The records of this Government will show how readily cases are got up against the Police, without any real foundation, particularly at the present time, when it appears to be generally supposed amongst the people that any charge of torture will be at once accepted as true.

In the commencement of the despatch, the Honorable Court call attention to the powers exercised by the Darogahs of Bengal, the Amildars of Bombay, and the Tehseeldars of Madras, in investigating crimes.

This subject is one which requires much consideration, and the course to be pursued must be materially modified by the decision of the arrangements proposed for the amalgamation of the Courts.

The line which has to be drawn so as to secure energetic movements for the detection of crime, and at the same time not unduly to interfere with individual security and independence, is a very fine one, and if required to be laid down very minutely, will demand a very expensive establishment.

If crime is to be quickly detected, and there is no such certain prevention of depredation for the future, there must be rapidity of action, and the Police must not be obliged to march for miles before they can get a case investigated, in order to obtain committal.

I have previously stated the position in which the officers of Police would stand with respect to the Collectors of districts.

The Honorable Court made no mention of the Village Police in their despatch, but it will be advisable that the course to be adopted with regard to this national institution should be decided on.

(Signed) HARRIS.

APPENDIX No. 490

Papers respecting the Police Department, Madras.

MINUTE BY HONORABLE SIR H. C. MONTGOMERY.

Dated 5th January, 1857.

Having already had an opportunity of stating my views on the subject of the reform of the Police when considering the system of the local administration in the Revenue and Magisterial Department of the Madras presidency, and also connected therewith on the occasion of conisdering the project for the amalgamation of the Higher Courts, I will refrain from repeating the opinions I recorded on the 2nd June 1855, and on the 17th November 1856. I will only observe that such extensive improvements as are contemplated cannot be carried into execution without considerable increase of expenditure, and unless the Honorable Court consent adequately to remunerate Native establishments for the duties required from them, devotion to their service must not be expected. The failure of the system hitherto in force is in a great measure attributable to the small allowances of the inferior agents. The village Police officers in many instances are without any emolument, and yet from prescription some service is expected from them. But it is not only a more efficient Police that is wanted for the suppression of crime. The efforts of the most vigilant have hitherto been, and will continue to be, of little avail in securing the punishment in heinous crimes of offenders, if the Courts continue to afford to criminals such facilities for evading conviction as they now do. The evidence demanded for conviction is mostly so unsuited to the habits of the people, that it is rarely forthcoming, and the consequence is the release of those whom the Police well know to be the actual perpetrators of crime, emboldened by their success to repeat their lawless acts, and to be the terror of all who aided in their apprehension.

(Signed) H. C. MONTGOMERY.

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APPENDIX No. 491

Bombay Police.

Extract para. 9, *of a Despatch from the Honorable the Court of Directors, dated 24th January* 1849, *No.* 2.

9. We observe that the Police administration is conducted at your Presidency under the Superintendence of the Foujdaree Adawlut, which must cause unnecessary delay and must interfere with the efficiency of the system. We think that it would, in every respect, be attended with benefit, if the Magistrates were to correspond with the Government direct on questions of Police as distinguished from Criminal Justice, and we desire that this course be in future adopted.

Extract para. 1, *of a Despatch from the Honorable the Court of Directors, dated 24th January* 1849, *No.* 3.

Para 1. The annexed Tables, extracted from the Statements accompanying your letter of the 15th of April 1848, No. 15, shows that the administration of Civil Justice was satisfactorily carried on for the period in question, with the exception only of the proceedings of the Sudder Adawlut. In that Court, the arrears at the commencement of the year amounted to 111 Appeals, to which in the course of the year, 84 were added, making a total of 195. Of that number only 15 were decided on the merits, and 1 was adjusted, leaving in arrears 179 appeals, which at the same rate of proceeding, it would require eleven years to clear off, even if no further appeals were instituted during that period. The Court consists of four Judges, of whom one is generally absent on circuit, and three are generally present; and all appeals are in the first instance referred to a single Judge who has authority to affirm the original decree, but not to reverse or alter it—under these circumstances the extraordinary tardiness in the disposal of appeals seems unaccountable. It amounts in the vast majority of cases to an absolute denial of Justice. With proper exertions judiciously applied, we see no reason why the whole appeals in arrear should not be speedily disposed of, and you will be sensible that the subject imperiously demands your attention, in order that either the effective system upon which the Court carries on its business or the want of due diligence may be corrected. In our letter of the 24th January 1849, No. 2, we have recommended that the Magistrates should not correspond on subjects of Police through the Sudder Foujdaree Court, but direct with the Government. This may relieve the Court from some duties in which their intervention is unnecessary, and other means may occur to you by which the same object may be still further promoted.

Extract para. 5, *of a Despatch from the Honorable the Court of Directors, dated 21st January* 1819, *No.* 7.

Para. 5. Under the instructions furnished to you in our letter of the 24th January 1849, No. 2, you will have withdrawn your intimation to the Magistrate that similar reports should hereafter be submitted to Government through the Sudder Court.

Extract para. 3, *of a Despatch, from the Honorable the Court of Directors, dated 3rd October* 1849, *No.* 22.

Para. 3. The state of business in the Sudder Udalut itself continues to be very unsatisfactory, and we desire that you will ascertain and report to us the cause of the great and growing accumulation of arrears. The number of new causes which came before that Court in the course of the year was 76, and the number disposed of 48, leaving on the file at the end of the year, with arrears of former years, no less than 207 causes, we trust that by due exertion on the part of the Judges, individually, these arrears may be speedily cleared off, and this desirable object will have been promoted by the directions given in our Despatch of the 24th January, 1849, No. 2, that the Judges should be relieved from the Superintendence of the Police functions of the Magistrates. The same course should also be taken with regard to any other occupations by which their time has hitherto been un-

necessarily diverted from the discharge of their judicial duties. Above all, it is indispensable that none but men of undoubted competency and industry should be appointed to that high and important office.

Extract para. 11, *of a Despatch from the Honorable the Court of Directors, dated* 31*st October* 1849, *No.* 24.

Para. 11. It is only necessary for us to observe that the explanation given of the issue of instructions in this case in direct opposition to the sentiments recorded by the late Governor and by the late Government without the concurrence or sanction of the present Governor, is by no means satisfactory. In conducting your proceedings in future you will be careful to attend to the instructions conveyed to you in our Despatch of the 24th Jan. 1849.

Extract para. 12, *of a Despatch from the Honorable the Court of Directors, dated* 15*th May* 1850, No. 4.

Para. 12. We observe with satisfaction the zeal and intelligence exhibited by Mr. LeGeyt, in the discharge of his duties as Circuit Commissioner, we trust that his suggestions for improving the efficiency of the Police, which were to be separately taken into consideration, have been duly attended to. This branch of the Public Administration, will, under the instructions with which we have already furnished you, have been transferred from the Superintendence of the Judges of the Sudder Foujdaree Udalut to the immediate charge of the Government.

Extract para. 14, *of a Despatch from the Honorable the Court of Directors, dated* 15*th May* 1850, *No.* 4.

Para. 14. From the explanation afforded by the Judges of the Sudder Court with regard to the small amount of Judicial business discharged by that Court, we are inclined to hope, that our instructions for transferring to the Government, the direct Superintendence of all questions of Police will apply the most effectual remedy to the great delay in the administration of Justice, which had attracted our notice; on the suggestion which you have submitted to the Government of India, for keeping the Senior Judge stationary at the seat of the Court, we shall defer passing a judgment until their sentiments are communicated to us.

Extract para. 18, *of a Despatch from the Honorable the Court of Directors, dated* 16*th October* 1850, *No.* 14.

Para. 18. The information now furnished by you, with regard to the office of Bheel Agent at Ahmednuggur, confirms the impression under which we addressed you on that subject, in our Despatch of the 21st February, 1849, No. 7. It appears that the original views with which the office was instituted, have been wholly lost sight of, and that the Bheel Agent is now in fact the Superintendent of Police of the District, exercising the entire functions of that office, and acting under the general control of the Magistrate. We shall not enjoin the immediate discontinuance of this arrangement, as we trust that the general revision of the Police, in which you state that you have so long been engaged is now nearly brought to its completion. We repeat the directions that the correspondence in matters of Police may not be carried on through the channel of the Sudder Court, to the interruption of their judicial functions and without any public *advantage*.

For para. 24 of Despatch, No. 14, dated 16th October 1850, see Appendix No. 11.

(True copy.)

(Signed) J. G. LUMSDEN,
Secretary to Government.

(A true copy.)

C. HUGH LUSHINGTON,
Secy. to the Government of India.

APPENDIX No. 492

Bombay Police.

Extract Paras. 19 *to* 24 *of a Despatch from the Honorable the Court of Directors, dated* 16*th October* 1850, *No.* 14.

Cons. 21st May 1852, No. 48.

Para. 19. With this letter you have furnished us with a detailed report of the reformation of the Village Police in the district of Belgaum which is now in progress. From the papers before us we collect that the plan originated in suggestions placed on record by your late President Sir George Clerk; and has been carried out in two Talookas of the district under the able direction of Mr. Forgett, deputed for the purpose from Ahmedabad and of Mr. Inverarity, and subsequently Mr. Reeves, the Magistrate. The object in view has been to improve the Native system of Village Police by supplying whatever was defective in it, and dispensing with whatever was superfluous, and placing the whole under efficient superintendence and control. This has been done as far as the arrangement has proceeded by means of minute personal examination on the spot. The most able bodied and best paid of the Shetsundees (as the Village Police men are designated) have been retained, with increase of allowances when necessary, and have been distributed with a view to efficiency, and those whose services are not required have been excluded from the arrangement.

20th. The following description of the course of proceeding is given in Lord Falkland's minute of the 7th December.

" A certain proportion of the Shetsundees are set apart for revenue and miscellaneous " duties. Others who *are* stated by Mr. Inverarity in handing up Mr. Forgett's report upon " Chicerdee (one of the two Talookas) to be the most able bodied and best paid of their " class, are appointed to the Police charge of their several villages, their duties defined; and " a minimum scale of remuneration has been proposed. Others again are reported as avail- " able for reduction. The men selected for Police are superintended by a body of district " peons, each of whom is placed in charge of a certain number of villages; and over these " again are placed Duffadars, the whole being under the control of a Police Carkoon ap- " pointed for the entire Talooka."

21st. It is anticipated by Mr. Inverarity, Mr. Reeves and Mr. Forgett, as the result of the measures in progress, that the local Police of the district will be rendered perfectly efficient with little if any increase of expense; and that this result will be attained with the entire concurrence of the people themselves. If the success looked for, be realised, it will encourage you to extend a similar reform to other districts where the same system prevails and has fallen into similar mal-administration.

22nd. We entirely concur in the observations which you have communicated to the Magistrate on some parts of the arrangement in progress. The duties to be imposed on the Shetsundeees should not be more onerous than they may reasonably be expected to discharge, otherwise, the rules prescribed for their guidance cannot be enforced, and must fall into abeyance. It would be unjust to remove any of this class of officers from the villages in which their lands are situated, without assigning to them other land in the villages to which they may be transferred. The resumption of the lands of Shetsundees, whose services are not required on the death of the present incumbents you have properly left to the discretion of the Magistrate, according to the circumstances of each particular case.

23rd. It is very gratifying to us to express our cordial approbation of the spirit in which this very important arrangement has been prosecuted by your Government, as well as by the local officers to whom it was immediately entrusted.

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APPENDIX No. 492

Bombay Police.

24th. The correspondence before us affords marked instance of the inutility of communicating on such subjects through the channel of the Foujdaree Adawlut. The valuable report of the Magistrate addressed to that Court on the 31st July 1849, had not been laid before Government up to the month of November, when in reply to a direct requisition, the Magistrate furnished them with a copy of it, and it does not appear throughout the correspondence that the Court were enabled to offer any suggestions calculated to promote or improve the measures under consideration, you will, under our repeated instructions, have adopted the practice of corresponding direct with the Magistrates on subjects of Police.

(True Extract.)

(Signed) J. G. LUMSDEN,

Secretary to Government.

(A true Copy.)

C. HUGH LUSHINGTON,

Secretary to the Government of India.

APPENDIX No. 493

Bombay Police.

No. 86 of 1851.

FROM

THE SECRETARY TO THE GOVERNMENT OF BOMBAY,

To

F. J. HALLIDAY, ESQUIRE,

Secretary to the Government of India.

DATED BOMBAY CASTLE, *9th December* 1851.

No. 6683.

SIR,

I am directed by the Right Hon'ble the Governor in Council to transmit for the consideration of the Supreme Government, a proposed measure of reform for the Police of this Presidency in both its branches, the Stipendiary and the Village Police. *Judicial department.*

2. From various causes, which it is unnecessary to specify, this plan of reform has been under consideration for a long period, during which it has been in a measure tested by its application in a part of its detail to the Southern Mahratta Country, and in one respect to the entire Presidency; I may instance the principle, adopted with extraordinary success, of obliging the Magistrates to report direct to Government any gang robbery which occurs within their districts, and to show evidence that the Police employed, both village servants and the paid local Police have, on each instance, done their duty; the Magistrates being themselves obliged to report, at intervals, the progress and results of their efforts to trace and arrest the criminals, and to recover the property which may have been plundered.

3. The result of this system has led the Honorable Court to issue their positive instructions, as will be seen from the despatches below cited, that the Superintendence of the Police should be transferred to Government from the Sudder Court, in which under the present Regulations, the legal superintendence is vested. Appendix No.

Despatch dated	24th January	1849,	No.	2,	para.	9.
„	„	„	„	„	3,	„	1.
„	„	21st February	„	„	7,	„	5.
„	„	3d October	„	„	22,	„	3.
„	„	31st „	„	„	24,	„	11.
„	„	15th May	1850,	„	4,	„	12 and 14.
„	„	16th October	„	„	14,	„	18 and 24.

4. The reform of the Village Police on the principle advocated in the following observations, has likewise been carried into effect in the Belgaum districts of the Southern Mahratta Country with extraordinary success, so that the crime of gang robbery may be said to have become almost unknown, and this reform has received the entire approval of the Honorable Court as will be apparent from No. 11 in the Appendix. The voluminous papers which form the Appendix accompanying this despatch are submitted for the advantage of reference, the present case being considered as an exception to the general rule enjoined by the Government of India. I will endeavor to give a brief sketch of the projected reform. Appendix No.

5. The inefficiency of the Mofussil Police in preventing or detecting crime, and the necessity for its thorough reform, was first brought under consideration by Sir George Clerk, lately Governor of this Presidency, who left on record at the time of his departure a Minute in which his views of the proposed reform are clearly defined. The inefficiency of the present Police.

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APPENDIX No 495

Bombay Police.

6. This Minute was accompanied by Returns of the Police and Village establishments, &c. of the several Zillahs, and as there were no means of ascertaining the correctness of these Returns in the Judicial Secretary's Office, they were sent for verification to the Sudder Court, by which they were returned after a period of 14 months, properly verified.*

7. On the receipt of these Returns from the Sudder, the Right Honorable the Governor, in a Minute dated the 28th February 1850, proceeded to consider the measures of reform suggested by Sir George Clerk.

8. In this Minute he observed "the first question which is naturally suggested by "the radical character of the proposed changes is this. Has a case been made out to justify "them?

"We may conclude that there has—we find it stated in the 12th para. of Sir George "Clerk's Minute, and established by Returns, that in the years 1844 to 1846 inclusive, there "occurred in the 13 Zillahs *and remained undiscovered,* 3,127 *daring robberies* and 136 "murders."

9. In a following para. of the Right Honorable the Governor's Minute will be found a table compiled from Returns submitted in a then recent correspondence between Government and the Sudder Judges, who had endeavored to defend the Police of Guzerat from charges of inefficiency which at the time were brought against it.

10. The table, which I insert at the place, according to the Sudder Court's own showing, gives the state of crime in the years to which it refers as follows:

	Robberies, Gang with and without Murder.			
Ahmedabad.	A. D. 1834	489	1844	1,071
	1835	312	1845	914
	1836	311	1846	1,007
	Total 3 years..	1,112	Total 3 years..	2,992
Kaira.	A. D. 1834	754	1844	846
	1835	600	1845	813
	1836	442	1846	774
	Total 3 years..	1,796	Total 3 years..	2,433
Broach.	A. D. 1834	500	1844	449
	1835	338	1845	569
	1836	241	1846	516
	Total 3 years..	1,079	Total 3 years..	1,534

11. These and other considerations convinced His Lordship that a change of system and discipline was imperative. More especially the impunity with which crimes of violence were committed, afforded proof of the radical defect of the existing arrangements.

12. Once satisfied that a radical change was indispensable, His Lordship has next reviewed the measures which had been proposed by his predecessor, and has stated his own views on the subject in detail—the question subsequently came under the consideration of the Honorable Messrs. Willoughby, Blane and Bell.

13. The following sketch gives an outline of the measures which have been finally resolved upon, without noticing such as have been rejected, or detailing the argument employed in the course of the discussion.

Proposition the 1st.

General Superintendence.

14th. The entire control and supervision of the Police is to be vested in the Government instead of the Court of Sudder Foujdaree Adawlut as at present, and all correspondence on Police matters is to be addressed to the Judicial Secretary, and to be disposed of by him.

* Note.—An Abstract of these Returns will be found in Appendix No.

15. The necessity for this measure has been long apparent, and the Honorable Court have, on the occasions already quoted, ordered that it shall be carried out without reference to the question of Police reform.

Proposition the 2nd.

Zillah Superintendence.

16. At present the Magistrates of the several Zillahs have no one under them vested with adequate powers exclusively employed on Police supervision, excepting in the Collectorates of Belgaum and Ahmednuggur, where Mr. Forgett and Captain Auld are encouraged by the Magistrates to consider themselves as responsible for the efficiency of the Police throughout the whole Collectorate. Superintendents at present in command of local Police Corps, are not supposed to exercise a systematic authority over the entire Police establishments, whether in the several Mahals and Talookas, or at the Sudder Station, and are besides trammelled with certain judicial functions; the Assistant Magistrates are constantly being changed, and moreover while required to attend to a multiplicity of duties, fiscal and judicial, have a limited charge of only a few districts, continuous and complete superintendence of the whole Zillah being essential. A Superintendent of Police is to be appointed in each Zillah, the Magistrates are to continue at present responsible for the Police of their Zillahs, the Superintendents being employed as their special Police Agents for the prevention and detection of crime, and as such, to have the entire control of the Stipendiary Police, and the general superintendence, under the Magistrate, of the District and Village Police Establishments. In Zillahs* where there are Police Corps, the Commandants of such Corps are to be appointed Superintendents of Police. To search for and apprehend criminals will be exclusively the duty of the Superintendents and of their subordinates. Here their duties will cease. The Magistrates and Mamlutdars will either prepare for trial the cases received from the executive, or decide as at present all such charges as fall within the compass of their judicial cognizance. On the other hand a special power will be reserved to the Superintendents to exercise judicial powers as committing Magistrates, on *the very rare occasions* when their assumption of such duties may be essential to the detection of crime, or the ends of justice, but such cases are never to occur without immediate explanation and report.

Proposition the 3rd.

District Superintendence.

17. The Mamlutdars to be as regards the Police of districts, what the Magistrates are in Zillahs. A Carcoon in each Mamlut is to be selected as the Native head of the Police of the district. This Carcoon is to devote his time exclusively to the duties of the Police. He will correspond with the Superintendent whose more immediate subordinate he is to be considered. He will conduct his duties in subordination to the Mamlutdar, but possessing a department of his own.

Proposition the 4th.

Peon Establishments.

18. The establishments of Peons at the Hoozoor and in the districts, are to be divided by the Magistrate in conjunction with the Superintendent under whose orders the Peons assigned for Police duties are exclusively to be placed. The portion in the districts is to be placed under the authority of the District Police Umildars or Carcoons, previously alluded to, who will have the same power to punish them that the Mamlutdars now possess, but subject to the control of the Superintendent.

Proposition the 5th.

Police Corps.

19. The system obtaining in the several local corps of this Presidency is to be entirely changed, a new system of drill and discipline in the place of the entirely Military arrangements which now prevail is to be introduced, and they to be converted into purely Police Corps. All these corps (with the exception of

* Ahmednuggur, Tanna, Ahmedabad, Kaira, Khandesh, Poona, Rutnagaree.

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the Khandesh, Bheel, and Cooly Police Corps) are to be reduced to the two scales of 350 and 300 men each. This reduction is, however, to be effected prospectively and by degrees, as the Police of the Presidency improves in efficiency.

Proposition the 6th.

Irregular Horse.

20. The Regiments of Irregular Horse are to be divided. After it has been ascertained to what extent they are required as Military bodies, their numbers are to be reduced to that standard, those not so required being made available to form bodies of mounted Police in the several Zillahs.

Village Police.

21. The above remarks have reference to the stipendiary branch of the Police. The next branch to be considered is the Village Police.

Patells.

22. The first in the scale of the Village Police is the Patell. His ancient respectability and influence over the village establishments and inhabitants are, as far as possible, to be restored. With this object the office is to be placed upon a proper footing as regards emoluments, a measure which has intermediately been sanctioned by the Court, he is to be vested with powers slightly extended beyond those conferred on him by Chap. VI., Reg. XII. of 1827 of the Bombay Presidency; he will be competent to pass sentences of 6 hours' confinement in the stocks, and to fine to an amount not exceeding Rs. 5. He is to have the like powers in cases of contempt or disobedience of his authority by parties bound to respect it. The Village Police establishments (which will be hereafter noticed) as soon as settled are to be also made entirely amenable to the authority of the Patell, who may punish contumacious conduct, or official delinquencies, to the full extent of the penalties which he will be empowered to award.

23. The true secret of maintaining the efficiency of the Village Police system, is to maintain the ascendancy of the Patell in the government of his own village, or in other words, his position as the Village Magistrate; and to prevent his degenerating into a mere stipendiary policeman. For this purpose, in addition to the powers proposed to be conferred on him, the number of those who at present have the power to investigate charges of breach of duty against him is to be curtailed: this power is to be entrusted solely to the Collector and Magistrate, under whose exclusive protection and control the whole of the Patells within his districts are to be placed—no intermediate authority is to step in to punish them.

Proposition the 8th.

Village Watchmen.

24. An organized staff of Village Police is to be assigned to the Patell. The material for forming an efficient Village Police already exists in most of the Zillahs of this Presidency. It is to this Police that, even in its imperfect state, the detection of crime is at present chiefly due. It only requires to be properly organized, and to be called into action on a systematic plan, to become the best Police that could be devised for the rural districts of a country like India. On the appointment of the Zillah Superintendents, it will be their duty to visit each village, and to report, through the Magistrates, on the existing rural Police, and on the necessary steps to be taken for reforming it, district by district.

Materials available for reorganizing a rural Police.

25. The following is a summary notice of the materials available in the different Zillahs of this Presidency, for reorganizing a rural Police on a reformed system.

26. The more immediate agents in the Village Police consists of the Patell and Mhars, who are hereditary officers; and of village watchmen under different denominations, hitherto paid in land, some of whom have hereditary rights and others not, but whose sons are permitted, according to the custom of the country, to succeed to their father's offices in most instances.

APPENDIX No. 493

Bombay Police.

In the Southern Mahratta Country.

27. In the Collectorates of the Southern Mahratta Country, the material is superabundant, it is even expected that ultimately such a reduction of expense will be effected in these Collectorates as will meet to some extent, the increase which may be found necessary in other districts. In one of these Collectorates, Belgaum, the reform of the Village Police is already in progress, indeed appreaches near to a completion, under the authority of the Government of India, and, as I before observed, this reform has hitherto been attended with signal success.

In the Deckan.

28. In Poona, Ahmednuggur and Khandesh, the present Police establishment is expected to suffice.

In the Konkans.

29. In the Northern and Southern Konkans reform is more required than elsewhere. But slight traces of a Village Police are now to be found there; the duties of Police Patell are not unfrequently imposed on respectable parties, *in many cases without their consent and without remuneration* these officers are styled Foujdars. It will be the first duty of the Superintendents to prepare and submit to Government a matured plan for reestablishing the village system of Police in these Collectorates by gradual but progressive steps until the reform is complete.

In Guzerat.

30. In Guzerat the material for an efficient Village Police is stated to be in some parts ample, it will be the duty of the Zillah Superintendents to reform this Police as far as local distinctions will admit of on the plan in progress in Belgaum.

Expense of reorganizing the Village Police.

31. An estimate of the expense if any which the reorganization of an efficient rural Police throughout the Presidency may ultimately occasion, cannot be made until the special district reports have been received. The Honorable Court are, however, prepared for any expense that may be absolutely necessary to remunerate Patells and stipendiary village officers, and have authorized this Government to deal with the matter as a part of the ordinary detail of Revenue administration, vide their despatch* in the Revenue department, No. 8 of 1850†.

Position of the Zillah Superintendent in reference to the Village Police.

32. It will be the duty of the Superintendent of Zillah Police, first to organize and afterwards to superintend the Village Police, *all his acts being subject to the supervision of the Magistrate.* He will be empowered under the Magistrate's supervision and control, to impose trifling penalties, such as extra duty and temporary restraint, upon the members of the Village Police, who may misconduct themselves. But he is *not to be entrusted with power to alter or interfere in any way with their official rank and position in the village.* All punishment of a severe nature will be imposed solely by the Magistrate. The importance of these restrictions is enlarged upon in the Minute of the Right Honorable the Governor, paras. 70 to 75.

Proposition the 9th.

Village Police system.

33. Connected with the reform of the Village Police *establishments,* is the revival of the Village Police *system.* This system though extending originally as it would seem from one end of India to the other, and perhaps one of the most efficient systems that could have been devised for the rural districts of this country, had its local peculiarities. The Superintendents of Zillah Police will report

* Appendix No.

† Note.—A doubt on this point is entertained by the Honorable Mr. Blane, but in case of any misapprehension of the Honorable Court's instruction it will doubtless be rectified by fresh instructions, on receipt of the report this Government purpose making of their proceedings for the Honorable Court's information, ere the necessity for incurring the expenditure can arise.

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the distinctions found to have prevailed within their several charges in the best times of the best Native Governments, which will regulate the details of the new settlement.

34. "The key stone of the village system is the responsibility of the village commu-"nity for all offences committed within the village limits." The enforcement of this principle will be found to induce the inhabitants to act in self defence, and to co-operate for Police objects with the Government authorities. This responsibility is recognized and enforced by Section XXXVII. of Regulation XII. of 1827, and its abstract justice, as well as its expediency, is maintained in the Minute of the Right Honorable the Governor, dated the 28th February 1850, to which a reference can be made, paras. 53A to 56A.

Other arrangements.

35. Such is a rough outline of the measures recommended strictly for the reform of the Police; there are, however, other collateral arrangements which it will be proper here to notice.

Reduction of one of the Sudder Judges.

36. On the transfer of the duty of supervising the Police from the Sudder Court to Government, it has been proposed that to meet the expense of the new arrangement, the appointment of one of the Judges of the Court should be abolished, and the salary of the three remaining Judges raised to 42,000 Rupees per annum, which increase the Honorable Court have authorized being made from the date when the Sudder Court may be reduced to that number.

Appendix No.

Judicial Commissioners' Circuits.

37. To admit of the required number of Judges being always present in Court, a triennial circuit has been deemed a desirable substitute for the present annual circuit, by which a further saving will be effected in the travelling allowances of the Judicial Commissioners.

Appointment of a Deputy Judicial Secretary.

38. As the proposed transfer of the supervision of the Police to Government will impose a very large amount of additional work upon the Judicial Secretary's department, it is proposed that he should have the aid of a special Deputy.

39. On a reference to the Minutes of the Members of the Government, it will be seen that Sir G. Clerk and Lord Falkland proposed that on the abolition of one of the Judges of the Sudder Court, his salary should be appropriated to the appointment of a Commissioner of Police, whose duty it would be to instruct and supervise the proceedings of the District Police Agents, and who would be the medium of communication between the latter and the Government.

40. The Honorable Messrs. Blane and Bell, however, did not consider so expensive a functionary as a Commissioner necessary, and were of opinion that the duty of corresponding with and instructing the Police Agents, should devolve immediately upon the Government; all Police correspondence being immediately submitted by the Judicial Secretary (as proposed by the Honorable Mr. Willoughby) to the Judicial Member of the Government. In this case it will be requisite that the Secretary should have a Deputy well acquainted with the system of Police of the country; and to ensure efficiency, the field of selection ought not to be limited to any branch of the service. On the rare and special occasions which had a Commissioner been appointed, would have required his personal attention, it is contemplated to depute the Deputy Secretary to proceed in person to the place where his immediate superintendence may be required. He will thus, in a great measure, fulfil the functions assigned to the Commissioner.

41. The following abstract statement shows the general result in a financial point of view of the alterations to be immediately made in present establishments.

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Bombay Police.

Proposed Establishments.	Rs.	A.	P.
Salary of the four Judges at Rs.3,041-10-8 each per mensem	12,166	10	8
Travelling and Tent allowance to Judicial Commissioners	1,116	10	9
Clerk to ditto	40	0	0
Commandant Nuggur Police Corps	716	0	0
Commandant Ghaut Police Corps	800	0	0
Commandant Cooly Police Corps	645	6	0
Commandant Guzerat Police do. (late Provincial Battalion)	523	0	0
Commandant Khandesh Bheel Corps	800	0	0
Commandant Poona Police Corps	604	1	0
Commandant Rutnagaree Rangers	645	6	0
Total per mensem ... Rupees	18,057	2	5
Or per annum ... „	216,685	13	0

Proposed Establishments.	Rs.	A.	P.
Salary of the three Judges at Rupees 3,500 each per mensem	10,500	0	0
Travelling allowance to the Judicial Commissioners for four months at Rs. 300 per mensem	100	0	0
Clerk to do. for four months at 40 Rs. per mensem	13	5	4
Deputy Judicial Secretary	1,500	0	0
Commandant Nuggur Police Corps	716	0	0
Commandant Ghaut Police Corps	800	0	0
Commandant Cooly Police Corps	645	6	0
Commandant Guzerat Police Corps (late Provincial Battalion	523	0	0
Commandant Khandesh Bheel Corps	800	0	0
Commandant Poona Police Corps	604	1	0
Commandant Rutnagaree Rangers	645	6	0
New Appointments.			
Superintendent of Police at Belgaum exclusive of pay and allowances of a Military man	500	0	0
„ „ at Dharwar	500	0	0
„ „ at Broach	300	0	0
„ „ at Surat	300	0	0
„ „ at Sholapoor	300	0	0
Total per mensem ... Rupees	18,747	2	4
Or per annum ... „	2,24,965	12	0
Actual annual excess of proposed over present charges	8,279	15	0

42. Add to the above, the charge for travelling at Rupees 5 per diem for Superintendents of five years' standing, and Rupees 10 per diem for those above it, while bonâ-fide travelling on duty, which cannot be precisely estimated, and further, that where the Superintendents are Uncovenanted officers, the minimum of remuneration is to be Rupees 500 per mensem, this will involve an increased charge of Rupees 200 per mensem for each of the Collectorates of Broach, Surat and Sholapoor, total Rupees 600 per mensem.

43. On the other hand, as an offset against this additional expense, it is to be observed that on the ultimate reduction of the several Police Corps (excepting the Khandesh, Bheel and Cooly Police Corps) to the standard fixed by Sir G. Clerk, vide Proposition the 5th, there will be a saving which has been roughly calculated to amount to Rupees 1,35,000 per annum.

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44. And against this sum again should be placed any additional expenditure which the reorganization of the village establishments may be found to entail.

45. To enable this Government to carry out the proposals referred to in paras. 14, 22 and 37, an alteration in the law will be necessary, for which purpose Draft Acts framed by the Judges of the Sudder Court are forwarded with this despatch. These draft acts are, however, not altogether *approved* by Government, *as will be apparent on a reference to the more recent Minutes.* The alterations suggested by these Minutes are noticed in the margin of the draft acts.

46. The sanction of the Government of India is also solicited to the modification of the several establishments as above detailed.

I have the honor to be, &c.

(Signed) J. G. LUMSDEN,
Secretary to Government.

BOMBAY CASTLE,
9th December, 1851.

(A true copy.)
C. HUGH LUSHINGTON,
Secretary to the Government of India.

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Bombay Police.

Memoir on the Police Reform of the Presidency of Bombay.

For a number of years past, Government had become increasingly conscious that the Police throughout this Presidency was in an unsatisfactory state; that crime had not diminished; that no adequate protection had been afforded to its subjects, and that though large additions were made to the Police Force during the war period of 1838 and 1839, it had been found impracticable to reduce that Force to its previous standard, even on the return of peace.

2. The number of men employed for police purposes was, however, great, and the aggregate cost considerable; but at the same time, many subsisted on a pittance which was inadequate to remunerate any valuable service, while of those who were well-paid, some were incompetent from various causes, and others were engaged in important duties, distinct from, and occasionally discordant with, those of police.

3. Extensive and radical reforms were evidently demanded, for it did not appear that any numerical addition to the Police Force, even were that financially possible, would have produced any beneficial results: the whole system required re-casting, from the rural Village Police Officers to the highest grade of superintendence.

4. From tables that were placed before Government, it appeared that in 13 Zillahs under this Presidency, there were 17,358 villages inhabited, with an area of 88,230 square miles; for the protection of which there were 71,989 Police Officers of various denominations, the cost of whom was Rs. 18,05,169-14-1, besides establishments of European and Native functionaries.

5. In addition to this large force, there were the following Provincial Corps: Kolapoor Light Infantry; Sawunt Warree Rangers; Poona Horse, at head quarters or on detached Military duties; the Guzerat Irregular Horse; and the Kaira Provincial Battalion; all of which, to a certain extent, performed duties closely approaching, if not actually of a police character.

6. Notwithstanding, it was found that in three years property to the value of Rs. 22,83,118 had been lost by plunder, of which little more than one-tenth was recovered, and 3,127 daring robberies and 136 murders had been perpetrated in the same period, without any clue being obtained of the offenders.

7. It was thus clear that the impunity of crime was greater than ever, principally because the duty of preventing or detecting it was not performed. It had been seen in several cases of rebellion, that in all that relates to an early perception of danger, speedy detection of the parties concerned, and the consequent certain punishment and early suppression of disturbances, the Police had been lamentably deficient: the outbreaks had taken the authorities by surprise, and had run a long and prosperous career before they were put down by the cumbrous and costly aid of the Military power.

8. It is true that in this matter our laws are partly to blame: by them the ancient custom of holding village communities responsible (to a great extent) for crimes committed within their boundaries, has been almost abrogated. By them such evidence is required for the conviction of an offender as shall not only satisfy the tribunal before which it is given, but which, committed to paper, shall equally satisfy a tribunal at a distance. By them a large protection is accorded to men who, having no obvious honest means of livelihood, are by common report subsisting on the plunder of their neighbours; and in these, as in other modes, an impunity is secured to crime, which, among a people of a low moral standard, acts directly as an encouragement.

9. But it was not in the laws alone that the defect existed: it might be traced to a general coolness and inactivity, springing from a want of interest in this class of duties among the Magistracy, whose advancement and reputation depended more on the satisfactory discharge of their revenue than of their police duties, as well as from their frequent removal from one Zillah, or one department of the public service to another.

10. Superintended in the last resort, moreover, by the Suddur Adawlut, it was natural that the Magistrates and their subordinates should seek and obtain immunity from blame for police failures, by showing, *not* that all had been done which man could do, but that the Regulations had been acted up to; and thus it was a very rare case that any penalty for neglect was enforced.

11. The Police Establishment of the Presidency consisted of the following elements:—1st, Village Police, of which the Patell is the head. This Officer is sometimes hereditary, sometimes not. He has under him the Village Watchmen, who are generally hereditary. He reports to his immediate superior, the District Police Officer, (styled also Mamlutdar, or Mahalkurrie,) whose duties, like his own, are of a mixed nature—police, magisterial, and fiscal. The District Police Officer has under his orders Peons or Sebundy, who discharge indifferently police and fiscal duties, &c.; he is subordinate to the Zillah Magistrate, who is always a Collector of Revenue, and has several European Assistants. The Magistrate has under his orders also the European Officers of the Police Corps, a disciplined Military body, which not only performs police duties, but sometimes guards gaols, and escorts treasure. The Magistrate has sometimes a corps of Irregular Horse, commanded by European Officers, in his Zillah, to make requisitions on; and has frequently also a small party of undisciplined Native horsemen under his sole orders.

12. The Magistrate is under the orders of the Suddur Foujdaree Adawlut, in which Board is vested the general supervision of the whole Police Force in all its grades. This Board reports periodically to Government the general condition of the establishment, and specifically in cases of disturbance, or when any pecuniary expenditure is required.

13. In considering the proposed reform of the Police generally, it was evident that the services and emoluments of the Village Police, being for the most part hereditary, could not be dispensed with; but the former could be demanded, and the latter regulated, so that, while duty should be enforced, its emolument could be awarded solely to the person who performed it. The efficiency of this branch of the Police in former times was owing doubtless to the independent responsibility of the community whose servants they were: there was, therefore, a popular control maintained in those days over them by parties really interested in the efficient discharge of their duty. When our laws began to weaken that sense of village responsibility, the popular supervision, being no longer so necessary, became negligent: the responsibility was henceforth exacted, not by a present and interested community, but by a distant functionary, with whom plausible excuses and well-prepared explanations easily passed current, and who was also additionally hampered by technicalities and legalities.

14. The great desideratum for the regeneration of the nearly effete Village Police is a vigilant and active superintendence, which will accept no plausible tales in lieu of energetic service; and this kind of supervision cannot be expected from the present District Police Officers, who are generally selected with an eye to their revenue qualifications; who, if not constitutionally inactive in the beginning, soon become so, and who can always find in the pressure of revenue business a scarcely failing excuse for neglect of uncongenial police duties.

15. The same general remarks apply to the Collector, in his capacity of Superintendent of Police.

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Bombay Police.

16. Finally, the ultimate supervision of the whole rests with a board of the highest judicial functionaries,—the Court of Appeal from all the judicial tribunals in the Presidency,—though it may be safely said that there are not necessarily any two qualities in common between a good Judge and a good Superintendent of Police, except the industry, patience, and uprightness which all public servants should possess. It is the duty of a Judge to know of matters that come before him judicially, only what he hears in open Court,—universal knowledge of all that passes, affecting, even remotely, crime and criminals, sought from all sources, even the least pure, is the aim of the Police Officer: the Judge must confine himself to what is clearly established before him, or what may be logically deduced from it; whereas it is the peculiar value of a Police Officer to jump at right conclusions from vague and trifling evidence. The Judge maintains a severe impartiality towards the accused, but the Police Officer pursues him with eagerness and zeal.

17. It is true that some of these qualities are more needed by the subordinate Police Officer than by the Police Superintendent; but it is essential that the latter should thoroughly sympathize with the former, and the subordinate should have a conciousness that his exertions will be appreciated and supported by his superior, and that the spur of praise be not blunted by a too scrupulous and hesitating application of it.

18. It may, therefore, be safely said, that the union of the characteristic excellences of a good Judge and of a good Police Superintendent, is among the rarest combinations of human nature; and it follows, that in proportion as the members of the Suddur Adawlut were well selected for their important duties as Judges of a Supreme Court of Appeal, they were unfitted to superintend Police, and it was therefore the reverse of a reflection on them to say that they have generally failed in this department of their duties.

19. Accordingly, the Government was kept in extreme ignorance of all that which forms the most anxious part of a Home Secretary's duties in a constitutional State like England: it was only when crime stalked boldly forth that the attention of Government was attracted to the social condition of a particular District; but in ordinary times, it was entirely dependent on periodical casual reports, in which it was often difficult to distinguish between the police and the judicial matter, and which were not prepared with an object of giving that information regarding the temper, habits, or feelings of the people, their disposition towards Government, and generally those particulars of their social condition and progress, that were all important to obtain from time to time.

20. From such a sense of the inconvenience and inefficiency of the system of superintendence, and of police management generally, it was determined that its control should henceforth be vested in Gevernment, and an Act (No. XXVIII. of 1852) was accordingly passed, to relieve the Suddur Foujdaree Adawlut of this duty, and to empower the Governor in Council to appoint persons to exercise it, and to invest them with whatever powers might be requisite for this purpose.

21. It now remains to detail the measures of the reform that have been adopted, and to sketch the principles on which they are founded.

22. The general superintendence of the Police throughout all the Zillahs having been assumed by Government, devolved naturally on the Judicial Secretary, who, being also Secretary in the General and Ecclesiastical Departments, and fully occupied with those multifarious and arduous duties, could not be expected to give to police matters more than a general and somewhat hasty attention; while, should anything require correction, he could only correct it by correspondence, and not in person.

23. It was, therefore, determined that the Judicial Secretary should have the aid of a Deputy, whose time should be entirely occupied in discharging such of the new duties devolving on this Department as an Assistant could be expected to accomplish, and in giv-

ing such general assistance as would enable the Secretary to undertake the remainder. This would be a task of no small responsibility and labour, as, in effect, the success of the reform intended would materially depend on the attention paid to the details in every Zillah.

24. The question whether the Executive Police should be placed under the control of the Collector and Magistrate, or whether it should be solely and entirely entrusted to an independent officer, had been fully and largely discussed: there was no subject connected with Police on which there were so many conflicting opinions.

25. It was said, on the one hand, that the Collector and Magistrate might frequently be at one end of his Zillah when a crime was committed at the other; that he would generally be found engaged on other business, fiscal or judicial, which it would be most improper for him to leave, to investigate the circumstances of a crime; and that, in consequence, it scarcely ever occurred in practice that a Magistrate was engaged in the preliminary investigation; and with regard to his Assistants of all grades, European and Native, they were all equally engaged in a set of onerous duties, that could not be laid aside: so that nearly everything that was done, both by the Magistrate and his Assistants, was done on second-hand reports received from District Police Officers.

26. Moreover, it was argued that the Collector and Magistrate scarcely ever considered his police duties to be paramount,—the path of distinction and promotion lay through revenue: for able Police Officers there were no rewards,—no prestige attached to ability in that department; and, naturally, his zeal and attention would be bestowed on revenue duties, doing only just so much in police matters as might suffice to avoid blame.

27. With respect to the judicial functions of the Collector and Magistrate, it was also forcibly and justly said, that scarcely any duties are so utterly incompatible, and require for their discharge such different qualifications, as those of thief-catcher and thief-trier; and it was asserted that it would be useless to hope or expect reform (beyond placing a check over the more palpable abuses) until the offices were separated.

28. The principle of division of labour, it was said, applies with equal force to the departments of a Government, as to the several processes of an art or manufacture. The Magistrates are not selected for their qualifications as Police Officers: some, for no particular qualification at all, are necessarily appointed, according to routine and seniority; and, therefore, among so many, there is the certainty that some will be found comparatively inefficient for the purposes of police superintendence. They are also liable to frequent removal, so that the experience gained by an able servant in one Zillah is lost to Government when he is transferred to another District or department of the service; and the new comer, being locally ignorant, must inevitably depend on the experience and knowledge of the Police Superintendent whom he may find in office.

29. On the other hand, it was difficult to determine on a complete separation of the two departments. It was found impossible to provide a sufficient number of Magistrates of due qualifications, without making use of Collectors in that capacity: it was also contended that there was, in reality, no incompatibility between fiscal and police duties, but quite the contrary. One high authority asserted that "*all our best Collectors and Mamlutdars have also been our best Magistrates and Police Officers, and vice versâ;*" though this was totally denied by another equally high authority, who held that "*the precise reverse of this was the case.*"

30. It was, moreover, remarked, that no system of police supervision that was not founded on Native customs could be likely to succeed; that under Native Governments there had always been one supreme chief, and one only, in each Province or District; that the knowledge and influence acquired in fiscal duties would be most useful in police matters, and that his direct control as Collector would be absolutely essential to the proper working of the Village Police, with its hereditary Patells, being also revenue officers.

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31. It was also urged, that an independent officer on inferior salary, without any prestige from rank in his own service,—with a virtually distinct charge,—whose proceedings were viewed with indifference, if not with some degree of jealousy, by the Magistrate and his Assistants,—would be of much less value as a Police Superintendent than a similar officer acting as the Magistrate's right-hand man, assisted and supported by him, and only interfered with on just and necessary occasions.

32. After a careful consideration of these conflicting arguments and opinions, Government came to the resolution of maintaining the Collector and Magistrate as the head of the Village Police, placing under his general orders a Deputy for police affairs, to be styled Superintendent.

33. It was resolved that the Magistrate should confine himself, however, to judicial and administrative matters, while the Superintendent should have the control (as his Deputy) of the Executive Police, the command of the entire stipendiary body, with the initiative in the prevention and detection of crime; that, with regard to the stipendiary Police Force, the Magistrate and Superintendent should hold the relative position of the Civil and Military powers, the former making requisitions on the latter for the services of the Police at such times and places as he deemed fit, leaving to the Superintendent, on his part, a discretionary power in obeying these requisitions, by supplying a larger or a smaller force, as his local knowledge and experience would suggest; but being responsible to the Magistrate and to Government for any failure that deviation from the Magistrate's requisition might entail.

34. Such a division of the duties and responsibilities of these two functionaries seemed desirable, to ensure the full exercise of the Superintendent's zeal, activity, and intelligence, which would be very apt to become torpid if he were merely to endorse the orders of the Magistrate in these particulars; and, in addition to this, it may be anticipated that, if not at first, yet shortly the Superintendents will have more local knowledge and local experience in police than the Magistrates, who, independent of their other duties, are more likely to be frequently changed than the former.

35. It will of course be enjoined on these two classes of functionaries, that their mutual influence with the Native community, on which so much depends, will be very much in proportion to the harmony and single-heartedness with which they co-operate for the public weal. The Superintendent of Police should never forget that the Magistrate is the representative in the Zillah of the Government, and that the success of his own measures will materially depend on the visible cordiality with which he is supported by that supreme functionary; and the latter will not be forgetful of the greater opportunities of the Superintendents for judging of the measures necessary for securing the peace of the Zillah, arising from his peculiar duties; and thus will be secured that reciprocal and intelligent action that is far more valuable than a mechanical and perfunctory discharge of duty.

36. It will be the first business of the Magistrate to hand over to the Superintendent such of the Police as are now under him, and to make a separation of those now employed on revenue and police duties, indiscriminately, also making over the latter to the Superintendent.

37. The two officers will then conjointly distribute the Police Force over the Zillah, which being once done, it will be discretionary in future with the Superintendent from time to time to alter the details of that arrangement as circumstances may occur, communicating all important alterations to the Magistrate at once for sanction, and including the whole of them in the Monthly Distribution Returns, which will be made out in duplicate, according to the accompanying form, one for Government and the other for the Magistrate; and, in like manner he will furnish a duplicate copy of all Returns to the Magistrate, and, in corresponding with Government, he will forward his Reports under a flying seal through the Ma-

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gistrate for his information, and if on any emergent occasion this should cause delay, he will forward his report direct, and furnish the Magistrate with a copy by the same or following post.

38. On receiving charge of the Police Peons, or Sebundy, the Superintendent will examine them as minutely as Recruits for a Police Corps, and furnish Government with a Return of them in the accompanying form, pointing out, for the orders of Government, any that should, in his opinion, be discharged as inefficient.

39. The Superintendent of Police will also have the powers of a Magistrate of each Zillah, but, in the same manner as the Collector and Magistrate, is to abstain from all interference beyond what may be absolutely necessary in executive functions. The Superintendent will most cautiously refrain from engaging in any judicial operations, except in punishing the members of the Police Force: his duty is to prevent and detect crime, not to try it; he will, therefore, go no further than to satisfy himself that there is sufficient ground to believe that the party apprehended is the criminal, and then transfer him to the nearest Magistrate or Assistant.

40. On this point it will also be requisite to remind the Magistrate to exercise a jealous supervision of the Superintendent's proceedings, and to check that officer whenever he exceeds his particular province of detecting and apprehending the guilty.

41. To aid the Superintendent in the supervision of the District Police, the Magistrate will place under his orders a Carkoon for each District, who, under the title of Joint Police Amildar, will devote his time exclusively to the duties of the Executive Police: he will correspond direct with the Superintendent, whose more immediate subordinate he is. His head quarters will be the Mamlutdar's Cutcherry, and he will conduct his duties in subordination to that officer, but have a department of his own. The Joint Police Amildar will have the control over the Police Force of his District, and will have the same power to punish them that the Mamlutdar now possesses, but always under the control, and with the sanction of the Superintendent.

42. At the same time, the Collector and Magistrate with his Assistants and the Mamlutdars, as Chief Police Authorities, will not be debarred from acting as executive officers *on special occasions*, when immediate reference cannot be made to the Superintendent or his executive staff: orders issued by them to the Police to search for and apprehend criminals will be obeyed as a matter of course; but in all such cases they will report their proceedings to their own Chief, the Superintendent.

43. Thus far, the principal control over the Police Force has been practically vested in the Superintendent, acting in subordinate co-operation with the Collector and Magistrate; but in considering the Village Police arrangements, Government has determined to deviate in some important particulars from the system which has been applied to the stipendiary branch. Although the stipendiary Police Peons can be separated from those performing fiscal duties, the Patell and other grades must unavoidably be retained as revenue servants, and could not be placed absolutely under a Police jurisdiction so beyond the immediate control of the Collector as is intended for the Stipendiary Force, without almost necessarily entailing a collision of authority injurious to the efficiency of both departments.

44. The duties of the Village Police consist in maintaining a strict surveillance over the community; "in reporting accidents and offences in all strictly police matters to the District Joint Police Officer. They will also actively co-operate in the prevention and detection of crime." It has been recommended that the Village Officers should be declared, in regard to their police duties, entirely under this officer's control; and also that the power to punish Village Officers for neglect or misconduct in matters of police should be vested in the Joint Police Amildars, or, in other words, in their superior, the Superintendent.

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45. There is, however, much reason to fear that this would be fatal to the existence of the village system, which, as its basis, requires a large discretion to be reposed in the Patell, and his respectability and paramount authority in the village to be acknowledged and firmly supported by the Government.

46. This official importance of the Patells, under a Native Government, has, perhaps, been too much lost sight of, *as it is*, by our Collectors and Magistrates to whom these officers are directly subordinate. But to give to the Superintendent and his officers the powers of punishing Patells, hitherto exclusively entrusted to Collectors and Magistrates, and perhaps in a degree to the Mamlutdars, would be to efface the last vestige of their ancient consequence and influence. Instead of their hereditary head of a village corporation exercising the combined functions of Municipal Magistrate and Superintendent of the Public Rents, responsible for the good order of the village community, and, in this *representative** capacity, rendering them liable generally for neglect or misconduct in preventing or detecting crime, he would find himself, between the Mamlutdar and the Superintendent, reduced below the level of their humblest stipendiary dependent. He would speedily make the discovery that he was expected to serve two masters; and, as the Superintendent would probably be the most feared, we may even admit that he would be the best obeyed.

47. For the combined responsibility and authority of this officer would naturally dispose him to be exacting in instances of presumed want of energy or neglect. In cases where he believed himself to have been thwarted, or not properly supported by the Village Officers, he would at once resort to punishment; and, therefore, under a stimulus like this the police duties of the Patell would probably take the precedence of his revenue duties.

48. But it does not follow that they would, on this account, be more efficiently discharged. It is probable the result would be precisely the reverse: a very different spirit than prevailed formerly would animate the Village Officer. Instead of working as the head of a confederacy, united in a common interest, and bent on a common purpose, he would act as an ordinary Police agent, whom it would manifestly be unjust to punish if he could show that he had individually exerted himself or acted under orders.

49. Under such circumstances, the prevailing custom of the country by which the Patell and the inhabitants of a village are held responsible for the property plundered and traced within its limits, could not be enforced in the true spirit and intention of its conditions.

50. The most that could be predicted of Patells amenable to a discipline like this would be, that they would acquire the spirit and habits of the Stipendiary Policemen in proportion as their position of Village Magistrate had been lost sight of, and an oppressive police administration would everywhere prevail, which would probably exemplify the justice of Sir Thomas Munro's remark that "there is no system so odious as that where the Police holds the first rank in the community."

51. The great difficulty in the disposal of this important subject is, therefore, to devise such a measure of Village Police Reform as shall, on the one hand, re-establish the Patells in their former authority and position as Chief Police Officers of the village, providing them at the same time with fitting village servants; and on the other, so define their relations with the Superintendents and other officers of the Stipendiary Police, as to secure the healthy and efficient co-operation of both agencies in the detection and suppression of crime.

52. The subject of Village Police has engaged attention from the period immediately succeeding the conquest of the Deccan up to the present hour, nor is this Police invested with the ephemeral character which is attached to stipendiary agency. The village system is a striking example of those original institutions which distinguish different nations, and which appear to have their origin rather in physical peculiarities of race or climate, than in the theories of legislators or the workings of chance.

* Not representative by election, but by authority.

53. Institutions like these are, in their nature, permanent, and are with difficulty abolished, for they accord with the genius of the people. To consider carefully how best they can be revived throughout the Presidency, upon a model which shall at once be uniform, and not at variance with established laws, is, therefore, the first part of the task to which attention should be paid.

If fairly re-established, they will exercise a beneficial influence, far more powerful than any system of laws which a foreign Government could introduce without them. Experience justifies this conclusion.

It is admitted by Mr. Elphinstone, that when we conquered the country, it was in a state, " as relates to the security enjoyed by the inhabitants in person and property, superior to our oldest possessions."

After thirty years of government, Mr. Frere observes of the same unaltered Native Police in the Sattara Territory, that " it may be *very favourably contrasted with our own.*"

The details of the system have been too often described to require definition. The responsibility, before noticed, of the community to the individual sufferer from robbery, as carried out in practice, constitutes one of its peculiar and chief characteristics.

This almost universal rule of village responsibility was, perhaps, the very best that could have been devised, to arm the Patell with efficient weapons for the detection and suppression of robbery, since its systematic enforcement is certain to ensure for his measures the active co-operation of the inhabitants.

Mr. Elphinstone terms it " a coarse but effectual remedy against the indifference of the neighbourhood to the sufferings of individuals, which it would be better to regulate than to abandon."

How far the reproach of coarseness is deserved may be a question with those who attentively consider the intimate relations which subsist between the different members of a small community, divided into castes, but united by a common consent in the scheme of village government, and who call to mind the minute supervision over each others actions, and the right of interfering in the most trivial affairs of their neighbours, which is claimed and allowed by the social practice of the Hindoos, and which is virtually exercised in small societies, to the suppression of almost all individual independence.

No deliberately planned system of espionage could surpass it, and no social policy could be better calculated for enabling the Patell and the village authorities to prevent crime, or, when crime has been committed by an inhabitant of their community, to detect the culprit.

It is this peculiarity of their social system that justifies the practice of exacting compensation. It may at least be defended, on the plea of this peculiar social framework, which makes privacy next to impossible, and concealment a matter of the greatest difficulty. In a word, wherever there are the usual Village Police Officers, it is seldom or never that, if a robbery occur, neglect or connivance may not be justly imputed to them if the robbers are suffered to escape.

The materials for re-establishing the Village Police system are still to be found in every part of this Presidency, and express provision for its maintenance is made (C. VI. Regulation XII. of 1827) in our Regulations. Even in Zillahs and Districts where it has most been suffered to fall into disorder, as in the Northern Concan, or where other arrangements have, in a measure, superseded it, as in the Southern Concan, although minor distinctions may attract notice, the broad type of the original institution is everywhere observable. There is hardly a village of consequence without its Patell, who is still considered answerable for the public order, though he may receive no official emoluments, and no village servants may be provided by Government to assist him in maintaining it.

54. But if the Regulations make provision for preserving the machinery of the old Village Police system, the causes which have conduced to its diminished efficiency are deserving of attention.

APPENDIX No. 494

Bombay Police.

55. Mr. Elphinstone, in his admirable and critical analysis of the Native Police system at the conquest, would seem to have foreboded this decay, and has offered a number of valuable suggestions with the view of preventing it. "Whether," he observes, "we can equally maintain the frame of government is a question that has yet to be examined. The present system of Police, as far as relates to the village, may be easily kept up; but I doubt whether it is enough that the village establishment be maintained, and the whole put under the "Mamlutdar." "The Patell's respectability and influence," he adds, "*must* be kept up, by allowing him some latitude, both in the expenditure of the village expenses, and in restraining petty disorders within his village."

"So far from wishing that it were possible for the European Officers to hear all complaints on such subjects, I think it fortunate that they have no time to investigate them, and desirable that the Mamlutdar also should leave them to the Patells, and thus preserve a power, on the aid of which we must, in all branches of the government, greatly depend.

"Too much care cannot be taken to prevent their duty being irksome, and their influence impaired, by bringing their conduct often under the correction of their superiors." "Care also," he observes, "should be taken of the Patell's chief Police Assistant, the Village Watchman, whose allowance if not sufficient to support him, or to keep him out of temptation to thieve, ought not to be so high as to make him independent of the community; and should be, in part, derived from contributions, which may compel him to go his rounds among the villagers, as at present.

56. The policy which should have been our guide in framing laws for maintaining the authority and efficiency of the Village Police Officers, would seem to be indicated in the foregoing observations, with sufficient distinctness.

57. Above all other considerations, the influence and position of the Patell were to be maintained, which is, indeed, the true secret of the efficiency of the village system.

For this purpose, small discretionary powers, in punishing petty offences, were to be entrusted to this officer, and a latitude allowed him in their exercise.

It is clearly to be deduced from the principles laid down by Mr. Elphinstone, that every resident of the village, especially the village servants, ought to be amenable to the Patell's authority.

The necessity for providing Village Watchmen to assist the Patells is also insisted on, as well as the propriety of revising their allowances, a portion of which was to be defrayed by the State, and the remainder paid in the shape of customary perquisites by the people.

58. It was obviously desirable that an early revision of the remuneration paid to the Patells, as well as to the Watchmen, should have taken place, because, where the emolument was inadequate, it was impossible that they should preserve their independence and social influence in the village, or that they should refrain from abusing the discretionary powers with which it was intended that they should be entrusted. It was proper, besides, that Government should know what portion of their remuneration was derived from the State; in what cases lands or allowances had been alienated; how far they could be appropriated to the maintenance of the member of the family actually discharging the duty of Patell, as well as in what cases further remuneration was indispensable. It was also not improbable, as after inquiries in many instances have shown to be the case, that Patells were in the enjoyment of hucs, and perquisites of an objectionable nature, for which, if abolished or disallowed, a compensation ought, in fairness, to have been substituted.

59. But though much has been written at various times upon settling the scale of the Patell's remuneration, nothing has, until lately, been done. In respect to the revision of the allowances of Village Watchmen, nothing has even been attempted. The undertaking, no doubt, presents, at the first aspect, very serious difficulties, and it is to this cause that must be ascribed the apparent neglect of Mr. Elphinstone's advice. But it is essential to the preservation of the village system that this advice should now be acted on.

60. Certain it is, that to this neglect the diminished efficiency of Village Police agency is mainly to be attributed: the condition of the Patells, generally, far from being improved or re-established, has been deteriorated, and many villages are to be found where, as already observed, they are called on, under our Government, to perform police duties, although they receive no assistance, and enjoy no emoluments whatever.

61. Nor can a more favourable report be made of the degree of attention which has been paid to the measure recommended by Mr. Elphinstone for supporting the authority and influence of the Patell, by vesting him with discretionary powers as an Officer of Police.

Few traces of such a trust are to be found—none except under compulsion of its exercise.

Whether it were, that the Regulations departed too abruptly from the Native original, or that the direct supervision of Government were required to regulate that natural tendency on the part of our Judicial Officers to construe them in all cases according to the English maxim, so foreign to Asiatic minds, that power is vested in the law, and not in the officer, it is not easy to decide.

62. That the old village discipline should, in some measure, be relaxed under a regular government is, perhaps, unavoidable. The idea of independence, for the first time made familiar to the humblest member of the community, who finds himself, to his surprise, supported by the authorities, in resistance to an arbitrary order which in former days he never would have questioned, is apt, in its first stages, to turn to license. It was well said by Mr. Elphinstone that we have only the choice in this country of taking from our agents the power to do good, or of leaving them the power to do harm: we have attended solely to depriving them of the latter; and it is certain that if we would not see the remaining influence of the Patells over the people entirely destroyed, we must, in a degree, retrace our steps, and confer on these officers extended discretionary powers.

63. Power is given to these officers, under Sections 49 and 53 of Regulation XII. of 1827, to take cognizance of trivial cases of assault, and to punish the offenders, on conviction, with twenty-four hours' imprisonment. This is nearly the amount of discretion entrusted to them under our Government. It is easy to divine that, by itself, this power would be but little resorted to in practice, the more especially as the only penalty which the Patells were able to award would, even when enforced, be hardly regarded as a punishment by the majority of the people of this country.

64. The powers of the Patell, when furnished with a commission, have now been extended to sentences of six hours' confinement in the stocks, and to fine, in the amount of Rs. 5, with the like powers in cases of contempt or disobedience of his authority by parties bound to respect it. He is only to keep a register of his proceedings where he resorts to the two last named punishments. The preparation of these registers will be the duty of the Coolkurnee of Talatee, acting under the orders of the Patell. They will merely record the offence charged, the decision passed, the punishment awarded, and the names of the accused party, and of the deposing witnesses.

65. The Village Police establishments, as soon as settled, will be also made entirely amenable to the Patell's authority, who will be empowered to punish them for contumacious conduct, or official delinquencies, to the full extent of the penalties which he may award.

66. These alterations confer upon the Patells small discretionary powers, which will be really felt and feared, and which would enable them to support their authority when called in question. But more than this is required in a system which holds out hopes of maintaining the positions of these officers on a desirable basis.

67. For this purpose, it is absolutely essential that the number of those who at present have the power to investigate charges of breach of duty preferred against Patells, should

be very much curtailed. This power will, therefore, be entrusted solely to the officers more immediately responsible for the general condition of the Village Police, and who can understand the importance of supporting and preserving the system in its integrity.

68. This officer is the Collector and Magistrate, under whose exclusive protection and control will be placed the whole of the Patells within his District. No intermediate authority will step in to censure and to punish; and Government will alone be empowered to supervise his decisions. Charges against Patells for breach of duty will be preferred *before him*, where necessary, by the Superintendent, and the Assistant Magistrates; but the Collector alone will investigate and decide upon them.

69. Nor, considering the laborious duties of which Collectors will be relieved on the introduction of the reformed system, is there any reason to fear that the duties now proposed to be imposed upon them will be found to try their powers too far: at any rate, this course appears to offer the only means of securing a regular and systematic supervision of the village establishments, and of diminishing the risk arising from indiscreet, uncertain, and prejudiced procedure.

70. There is still another and equally important object to be attained by a provision of this nature.

It holds out the most certain prospect of the amalgamation and perfect working together of two parties so differently constituted and disciplined as the stipendiary and village servants, as well as of preserving in the hands of the Collectors the real, as well as the nominal, authority over the entire Police of his Districts.

71. In respect to the disposal and discipline of the stipendiary force, the Superintendent is nearly an independent officer. As regards the discipline and management of the Village Police, the Collector will exercise, under the above arrangement, an absolute and sole authority. The Village Police will obey the Superintendent's emergent orders when summoned by him to do so, and the Collector will support the Superintendent in the exercise of this authority, as his own *representative*. But with maintaining the discipline and controling the internal economy of the village system, the Superintendents will have nothing to do independently of the Collector.

72. A quarterly report of all *Complaints* received against Patells, for abuse of authority or neglect of duty, and of all punishments which the Collector may award against them, will be made by that officer to Government, which will carefully watch the general effects which follow these attempts to revive the village system, and will take care that the conduct of the local officers is such as to afford a fair chance of success.

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APPENDIX No. 495

Bombay Police.

Extract from a letter from the Secretary to the Government of Bombay, to the Secretary to the Government of India, (in the General Department) No. 868 of 1855, dated 24th February.

Para. 23rd. It is however principally by the measure which His Lordship in Council has to propose for more efficient superintendence of the Mofussil Police, that he expects this department to be relieved from a mass of detail which overtakes the Secretary, and which it is impossible that he can satisfactorily perform. The Honorable Court have sanctioned the appointment of an Inspector of Prisons for this Presidency, on the same salary as the officers who hold the same appointment in Bengal and in the North Western Provinces. His Lordship recommends that this duty be combined with the superintendence and control of the Police throughout the Presidency, being satisfied that both these objects will be most effectually ensured by the personal supervision of a Magistrate of experience, and that it is clearly impossible for Government, without the intervention of an officer, to see the Superintendents properly discharge their duties.

24th. The Judges of the Sudder Adawlut have stated their opinion that the whole of our Police arrangements require revision, and that this can only be done by an officer who can personally visit every Station and Talook, with authority to fix the establishments not only with reference to the Police, but to the wants of the Revenue and Magisterial departments, and who should also be empowered to regulate the co-operation, and to enforce the due subordination of the executive and district Police authorities to the Magistrates.

25th. The Right Honorable the Governor in Council confidently trusts that the appointment of such an officer will not only relive Government from a duty which they cannot adequately discharge, but that it will render the Police of this Presidency a more efficient agency for the repression of crime than it has hitherto been.

26th. The salary which His Lordship in Council recommends for the officer to be appointed for the duties referred, and whom he proposes to designate "Commissioner of Police and Inspector of Prisons," is Rs. 2,500 per mensem, with an allowance of Rs. 10 per diem, when travelling.

If however it be permitted to reckon the salary of the Revenue Survey Commissioner which has been in abeyance since Captain Wingate's retirement, but which (in the absence of a Board of Revenue) would be now in consequence of the loss of Mr. Goldsmid, more than ever required, and further to include the salaries of the two Assistants to the Revenue Commissioner, which appointments are regularly sanctioned ones, but have not been filled up on account of the paucity of Civil servants, and the pressing demands for them in other quarters, the trifling saving above shown will be increased to the important one of Rs. 4,422-3-7, and if to this sum be added the saving already realized by the abolition of the two deputy Secretaryships to Government, the result will be a total decrease of charge of no less than Rs. 6,672-3-7. Even if we deduct from this the increase of charge in the Judicial department, consequent on the appointment of a Commissioner of Police and Inspector of Prisons, (which however His Lordship in Council considers ought not to be taken into calculation, since the appointment must be made whether the number of Secretaries be reduced or not), there will still be a net annual saving of Rs. 50,066-11-0.

Survey Commissioner.

Salary ....Rs.	2,333	5	4			
Travelling allowance..... .... „	200	0	0			
Tentage..... „	44	7	1	2,577	12	5
2 Assistants to Revenue Commissioner, salary..... „	1,100	0	0			
Travelling allowance..... „	600	0	0			
Tentage..... „	55	8	10	1,755	8	10
				4,333	5	3
Add saving shown as above.				88	14	4
				4,422	3	7
As above shown.....	4,422	3	7			
Add salaries of Deputy Secretaries.	3,000	0	0	7,422	3	7
Deduct salary of Oriental Translator appointed in place of one of the Deputies.....				750	0	0
				6,672	3	7
As above... .....Rs.				6,672	3	7
Deduct salary of Commissioner of Police and Inspector of Prisons..... „				2,500	0	0
				4,172	3	7
						12
			Rs.	50,066	11	0

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APPENDIX No. 496

Bombay Police.

No. 348 of 1857.

From

The Commissioner of Police,

To

H. Ricketts, Esq.,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Sir,

In reply to your letter, No. 689, of the 16th January last, I have the honor to inform you, that the system of Police introduced into this Presidency in 1852 is working satisfactorily. I believe there is a positive decrease of crime which argues in favor of an increased efficiency in the arrangements for prevention, and I am of opinion the returns will also prove that there is a decrease in the catalogue of undetected crime, and in the amount of property stolen, and not recovered, and I think it will also appear, that fewer persons have been arrested and afterwards acquitted than in former years, if therefore it can be proved there are these results, it will be admitted that the Police in the detection and prevention of crime, has improved in efficiency, and the system is therefore protanto good.

2. There are, without doubt, some complications and difficulties. It will be necessary to define more accurately the authority vested in the Commissioner of Police, and to limit the interference of the Magistrates with the executive duty of the Superintendents, but desiring to carry out the policy of Government, as conveyed to me, which specially deprecates any innovation tending to put the Magistrate in antagonism with the Police, I have been anxious to watch the working of the system, before recommending alterations.

3. On the important question involved in these considerations, viz., Whether there are more advantages from the Magistrate's more immediate connection and co-operation with the department, or disadvantages arising from a divided authority, I am not prepared at present to pronounce a positive opinion. I incline to think that the Magistrate's position being clearly established, as a subordinate to the Police Commissioner, as the Collector to the Revenue Commissioner, and restricted as he is and must be still more, from all interference with the discipline and management of the Police Force, he should still continue the Head of the Police of his own District, and afford the benefit of his co-operation, local knowledge and experience, in the general arrangements, and that the Superintendent should be still recognized, as his subordinate, and obey every requisition subject to the general instructions and orders of the Commissioner.

4. In reply to your question regarding the Village Police, I think it desirable to maintain the authority of the Magistrate, in his exercise of his authority his acts and decisions are subject to my revision, and this control is a reality, and I am satisfied that the present system is good.

5. As regards the scale of pay to the Police, I incline to the opinion that Rupees five and a half should be the lowest pay for the armed Police, and that Rupees four and a half (the pay of the 3d class) should be confined to the unarmed, but it involves increase of expenditure, and requires consideration, the first effect of such a measure would obviously be to send all the best men into the armed Police, and if they are to undertake permanently duties hitherto performed by Corps of the Line, this is not only desirable but may be absolutely indispensable.

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APPENDIX No. 496

Bombay Police.

6. The pay of Foujdars is totally inadequate to the responsibility of their position, but as the whole question has been submitted to Government, and I am now expecting to receive their orders sanctioning my proposition for a revised scale, it is scarcely necessary to trouble you with details of a bad arrangement, which I believe may be said to have terminated.

7. This otherwise would have been one flagrant drawback to the system which I should have had to bring to your notice in replying to your present reference.

Major Haselwood, Khandeish Superintendent.
Capt. Birch, do. 1st Asst. do.
Lieut. Kennedy, do. 2nd do. do.
Lieut. Henry, Ahmednuggur Superintendent.
Lieut Carr, do. Asst. Superintendent.
Capt. Walker, Tanna Superintendent.
Lieut. Thomas, Dharwar do.
Lieut. Harpur, Rutnagaree do.
Lieut. Short, Sholapoor do.
Major Agar, Ahmedabad do.
Capt. Davies, Kaira do.
Lieut. Bell, Broach do.
Lieut. Hodgson, Surat do.
Lieut. Col. Wells, Poonah do.
Mr. Souter, Belgaum do.
Mr. Leeke, Tanna Assistant Superintendent.

8. In reply to your third para., I beg to inform you that none of the Superintendents belonging to the Civil Service, and there are no Natives or Indo-Britons, they are as per margin, all as you will observe, Military Officers. Save the two last, the Superintendent of Belgaum and the actual Assistant Superintendent of Police Tanna.

I have the honor to be,

SIR,

Your most obedient servant,

A. H. BETTINGTON,

Commissioner of Police.

AHMEDABAD, *4th March*, 1857.

APPENDIX No. 497

Bombay Police.

No. of 1857.

FROM

THE COMMISSIONER OF POLICE.

TO

THE COMMISSIONER FOR REVISION OF CIVIL SALARIES IN INDIA.

SIR,

I have the honor to forward the return required by you. You will observe that several important modifications have only now received the sanction of Government, the object of course has been to supply the deficiencies of some districts from the superfluities of others, and to bring the emolument in some ratio to the labour and difficulty of the charge.

2. You will note that, in Khandeish, the Superintendent had three Assistants, and in Ahmedabad a very difficult charge none, and that the salary of the Assistant Superintendent of Tanna was rated higher than that of the Superintendent of Belgaum, Surat and Broach, it was also entered for abolition, which however has been found impossible, from the extent of the charge, and the extreme difficulty of traversing it; the Koncan is the most difficult country in this Presidency to travel over, and in the monsoon it is all but impracticable.

I have the honor to be,

SIR,

Your most obedient servant,

A. H. BETTINGTON.

Commissioner of Police.

POONA,
29th June, 1857.

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APPENDIX No. 49

Bombay Police.

	Salaries in receipt on the 18th June 1853.	Prospective salaries proposed and sanctioned by the Government of India.	Modifications proposed by the Commissioner and sanctioned by Government on 26th June 1857.	REMARKS.
Superintendent of Police, Khandeish....	1,100 0 0	1,100 0 0	1,100 0 0	
1st Assistant do. do.	600 0 0	600 0 0	600 0 0	
2nd do. do. do.	600 0 0	600 0 0	Abolished.	
Adjutant Bheel Corps.....	500 0 0	500 0 0	500 0 0	
Superintendent of Police, Ahmednuggur..	800 0 0	800 0 0	800 0 0	
Assistant do. do.	427 8 0	500 0 0	500 0 0	
Superintendent of Police, Belgaum.....	500 0 0	800 0 0	600 0 0	Has only drawn 500 Rupees.
Do. do. Tanna	800 0 0	700 0 0	700 0 0	
Assistant do. do. do.	600 0 0	To be abolished.	600 0 0	To be reduced to Rupees 500 on the removal of the present incumbent.
Superintendent of Police, Sholapoor.....	556 10 0	700 0 0	700 0 0	
Do. do. Ahmedabad...	645 6 0	700 0 0	700 0 0	
Assistant do. do.	0 0 0	0 0 0	600 0 0	A new appointment to be reduced to Rupees 500 on the removal of the present incumbent.
Superintendent of Police, Dharwar.....	915 6 0	700 0 0	600 0 0	
Do. do. Poonah.....	604 1 0	600 0 0	600 0 0	
Do. do. Rutnagaree....	645 6 0	600 0 0	600 0 0	
Do. do. Kaira.....	645 6 0	600 0 0	600 0 0	
Do. do. Surat.....	525 12 0	500 0 0	500 0 0	
Do. do. Broah.....	556 10 0	500 0 0	600 0 0	

POONA,
29th June, 1857.

A. H. BETTINGTON,
Commissioner of Police.

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APPENDIX No. 498

Bombay Police.

TABLE *showing the number of armed disciplined and undisciplined Police with area and population of all the Zillahs of the Bombay Presidency.*

	In 1855.			In 1856.			In 1857.															Horse Police.		
							Disciplined.																	
	Disciplined and armed Police.	Undisciplined Police.	Total.	Disciplined and armed Police.	Undisciplined Police.	Total.	Disciplined.	New levy for Jail guards.	Total Disciplined.	Undisciplined.	Total permanent Establishment.	Temporary increase.	Grand Total.	Area according to Revenue Survey.	Gross area of the Zillahs as computed in Sir G. Clerk's Police Memoir.	Population as computed in Sir G. Clerk's Memoirs.	Police men to area one to square miles in 1855.	Population to one Police man in 1855.	Police men to area one to square miles in 1857.	Population to one Police man in 1857.	In 1855.	In 1856.	In 1857.
Surat	387	420	807	396	411	807	396	64	460	411	871	100	971	*1,539	*1,292	4,92,684	1½	610	1½	565	51	51	51
Kaira	503	328	831	599	107	706	587	0	587	112	699	0	699	*1,375	*1,274	*5,80,631	1⅓	698	2	830	15	15	15
Broach	92	366	458	83	387	470	76	0	76	394	470	100	570	*1,325	*1,296	*2,90,984	3	635	2¾	619	15	15	15
Ahmedabad	608	380	988	661	402	1,063	812	0	812	402	1,214	250	1,464	*4,402	*4,399	6,50,224	4½	658	3½	535	20	20	20
Poonah	321	818	1,139	328	744	1,072	342	79	421	731	1,152	175	1,327	†5,250	†3,495	6,66,006	3	584	3	578	0	0	63
Tanna	672	550	1,222	672	550	1,222	672	218	890	550	1,440	0	1,440	5,400	5,615	8,74,570	4⅓	715	4	607	8	8	36
Khandeish	1,127	1,090	2,217	1,132	1,090	2,222	1,133	0	1,133	1,090	2,223	0	2,223	12,078	16,597	7,78,112	7½	351	8	350	15	15	107
Ahmednuggur	615	612	1,227	576	598	1,174	576	86	662	598	1,260	105	1,365	10,078	10,078	9,95,583	8	811	8	790	0	0	73
Rutnagaree	360	166	526	360	167	527	360	78	438	167	605	100	705	4,500	5,808	6,65,238	11	1,265	9½	1,099	0	0	0
Dharwar	0	386	386	0	386	386	407	0	407	79	486	0	486	3,790	6,254	7,54,385	16	1,954	13	1,552	0	0	47
Belgaum	0	551	551	0	607	607	600	0	600	157	757	0	757	6,515	11,856	10,25,882	21⅓	1,861	15½	1,355	0	0	73
Sholapoor	207	285	492	260	310	570	387	0	387	233	620	0	620	8,565	10,277	6,75,115	21	1,372	16½	1,088	0	0	0

NOTES.—The area and population here stated on data received from the Government Records, but no correct estimate of population can be formed until a bona fide census be taken.

* This is palpably incorrect, the Survey area cannot be larger than the gross area.

† There appears to be a mistake in this number, it is not probable that in two densely populated Zillahs of nearly the same area, there should be a difference of 289,647 in the population, these figures however are correctly quoted from the data received from Government.

POONAH,
21st *July*, 1857.

A. H. BETTINGTON,
Commissioner of Police.

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APPENDIX No. 499

Survey and Settlement of Bombay.

EXTRACTS FROM A REPORT FROM MR. H. E. GOLDSMID, CAPTAIN G. WINGATE, AND CAPTAIN D. DAVIDSON, SUPERINTENDENTS OF SURVEY, TO THE REVENUE COMMISSIONER OF THE SOUTHERN DIVISION, BOMBAY, DATED THE 2ND AUGUST 1847.

11. THE first question presenting itself for consideration is the definition of the field. In every village, as already stated, there are recognized sub-divisions of the village lands, which, for the most part, have distinctive appellations, and have existed from time immemorial. Many of these, however, known as Thuls, Tikas, Daghs, and by other denominations, are of large size and in the possession of several individuals. Their external boundaries may be considered permanent, but the limits of their interior portions, in the possession of distinct parties, are subject to change, through the operation of sales, transfers, annexations, partitions, and so forth. Occasionally, also, an old sub-division, though of large size, may be held by a single individual of larger means than usual: another, again, though not beyond, and even within the average size, may be partitioned very minutely amongst a numerous coparcenary, especially in the case of Meeras lands, which are inherited by the Hindoo Common Law of equal partition among the male descendants on the death of the common ancestor. Such minor sub-divisions are continually subject to change from the causes just mentioned and others; and finally, large tracts of waste, and even cultivated lands, in which all trace of the original sub-divisions has been lost, are not uncommon.

12. To secure the advantages of the field assessment described in our preceding observations, it is obviously requisite that the fields upon which the assessment is distributed should be of a size suitable to the circumstances of the cultivators, so as to admit of their being readily cultivated by ryots of limited means. This could not be accomplished by constituting the ancient Thuls and Daghs into fields, as these would be generally too large for our purpose; while, on the other hand, to make a field of every one of their interior sub-divisions, as they exist at the time of survey, would greatly increase the labor and expense of the operation, without an adequate object; for such holdings are subject to frequent change as already explained, and no advantage that we are aware of is to be gained by making permanent a state of things which, though representing at the time of survey the distribution of the village lands amongst the members of the community, would not continue to do so after the lapse of a very few years.

13. In the division of the village lands into fields, the chief points to be kept in view appear to be—

1st.—That the fields, or at least a majority of them, should not be larger than may be cultivated by ryots of limited means.

2nd.—That they should not be made smaller than is necessary for the above object without an adequate reason.

The former of these points may readily be determined by the extent of land capable of being cultivated by a pair of bullocks, as farming cannot be prosecuted at all with a less

number than this. When a ryot has only a single bullock, he must enter into partnership with a neighbour, or obtain a second by some means or other, in order to be able to cultivate at all.

14. The extent of land capable of being cultivated with a pair of bullocks will vary according to climate, soil, description of cultivation, and method of husbandry. In very dry climates, as the Deccan, where the soil is kept free of grass and weeds with comparative ease, the extent of the land will be greater than in moister districts, where vegetation is more vigorous, other circumstances connected with the cultivation being the same. A larger breadth of light, friable soils, may of course be kept in tillage with the same labor than of heavier descriptions. In districts where manure is generally applied to the soils, the area capable of being cultivated will be much less than when no manure is applied. The difference between dry crop and irrigated lands will be still greater.

15. The actual extent of the several descriptions of land capable of being cultivated as above may, however, be easily ascertained in the case of any district about to be surveyed. Let us suppose, for the sake of illustration, the following to be the number of acres cultivable by a pair of bullocks in a particular district :—

20	acres of	light dry	crop soil.
15	„	medium	„
12	„	heavy	„
4	„	rice land	„

These areas would, we are of opinion, form the most convenient size of fields as a general rule ; but other circumstances require consideration.

16. It is of much importance that the existing state of things, in any village, should be as little interfered with as conveniently practicable, and consequently that the holdings of different proprietors and cultivators, and land held upon different tenures, should not, when avoidable, be included in the same field ; and though cultivators, possessing only a pair of bullocks, are numerous, those with a greater number are more numerous still ; so that fields of double the size of the standard we have proposed might be cultivated and made the subject of transfer, &c. without difficulty.

17. On taking into account these and various other circumstances affecting the question, but which could not be clearly explained without entering into a greater detail than would be suitable in a report such as this, we are led to propose the following general rules for the division of village lands into fields :—

RULES.

1st.—The number of acres for each description of soil and culture, capable of cultivation by a single pair of bullocks, having been determined, the size of the fields should be so regulated as to contain from this to double this number of acres.

2nd.—The preceding rule does not apply to tracts of land incapable of cultivation, or unsuited for it in their present state, from the presence of dense jungle or other obstructions, which should be divided into as large portions as may be convenient.

3rd.—Land held upon different tenures, as Meeras, Gutkool, Enam, Joodee, &c., should be measured separately, and not together, in the same field, even when of smaller area than required by Rule 1.

4th.—Different kinds of culture, as dry crop, rice, garden, &c., when in conformity with the usage of the district, should, as far as conveniently practicable, be measured into distinct fields.

5th.—Every holding* falling within the limits prescribed in Rule 1 should be constituted a survey field.

6th.—Every holding in excess of these dimensions should be divided into two or more fields, so as to bring the area of each within them.

7th.—When a holding is of less area than the limit laid down in Rule 1, and there are other holdings on the same tenure contiguous to it and also of less area than the rule prescribes, so many of these are to be clubbed together to form a new field as may be requisite to bring the acres of the latter within the limit, but no more.

8th.—When a holding of less area than required by Rule 1 does not adjoin another holding similarly circumstanced, it should be made a separate field, notwithstanding its deficient size.

18. These rules would preserve the existing divisions of the land to as great an extent as seems necessary or desirable; for the sub-division of any large holding, under Rule 1, into field of a convenient size for cultivation, will, in no way, affect the existing rights of the occupant, as the external boundaries and extent of his land will remain unchanged. The only other case in which existing usage could at all be interfered with is that of two or more inconveniently minute holdings being thrown into one survey field under the provisions of Rule 6; but such instances would be of rare occurrence, and the field thus formed so small, that there would be no difficulty whatever in arranging for the payment of its assessment by the several shareholders.

84. The future administration of the survey settlements is a subject of the utmost importance, as a successful result cannot be anticipated unless the details of revenue management be carried out in strict accordance with the principles on which the settlements are based. This subject embraces so wide a field, and involves the consideration of so many details, that to attempt to establish the suitability of every proposition we have to make in regard to it would lead to almost interminable, and, in our opinion, uncalled-for discussion, on which account we prefer to submit our views in the form of definite rules for the guidance of the local Revenue Officers. These rules comprise all the points which occur to us as of sufficient importance to call for notice but in submitting them for approval, we wish it to be understood that they should be considered applicable only to the collectorates above the ghauts already surveyed, or in course of being so. In other divisions of the Presidency, where the husbandry and revenue system are different, great alterations might be necessary.

* By "holding" we mean any field, estate, or occupancy contained within a continuous line of boundary and in the possession of one person or coparcenary.

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RULES.

5th.—Every cultivator, in whose name any field, or share of a field, on whatever tenure held, is entered in the village cultivation returns, is to be considered the holder of such field or share, and so long as he shall continue to pay the survey assessment due on it, he cannot be ejected or deprived of his rights by any revenue authority; but, in the event of his failing to discharge the full assessment, Government reserves the power of ejecting him from any field or share of which the assessment shall at least be equal to the balance outstanding, the defaulter retaining, however, the privilege of determining the particular field or fields to be so relinquished; *and in cases when the tenure precludes summary ejectment, the Collector will observe the forms necessary to give his orders the force of a legal decree.**

6th.—In the event of a holder of Government land dying, his fields or shares are to be entered in the name of his eldest son or next heir, should he or his representatives agree to take them.

7th.—When two ryots hold a field, and one of them relinquishes his share or dies without heirs, the share thus lapsing is to be offered, in the first instance, to the other sharer before it is offered to any other party, and, in the event of the said sharer declining it and no other party applying to take it up, the former must relinquish his share too and allow the whole field to become waste.

8th.—When there are more sharers than two in a field, and any of them relinquishes a share or dies without heirs, it should be offered, as above, to the sharers, in the first instance beginning, in the event of their failing to settle the matter amongst themselves, with the largest sharer, and so on to the least. If none of these, nor any other party, be found to take up the relinquished share, the whole field must be thrown up.

9th.—Whoever has a field or portion of one entered in his name in the Government accounts may have the said field or portion transferred to the name of any other person agreeing to cultivate the same, on his making a written application to that effect in the usual "Razeenama" or petition to resign.

* Your 10th para. (Revenue Commissioner's letter dated 10th September 1847, No. 2258) inculcates a prudent caution in respect to the insertion of the names of parties as the holders of fields. Care should be taken that the real holder is well ascertained, and if there be a dispute, no entry should be made in the survey books that can give one party a right which he might not on inquiry be found to possess. It is a great object to establish our survey books as a complete record of the state of the occupancy at the time of the operation. G. L. No. 5593 of 1848, para 28.

In the Superintendent's remarks in paragraph 20, on the subject of Rule 5th, I quite concur, for he admits the only exceptions for which I wished to contend in my letter of 10th September 1847, *viz.* cases which "have been fraudulently, or, through mistake, omitted to be entered." That such cases must be guarded against, Government have decided in paragraph 28 of the letter under reply, and important as I admit the rule to be, justice, I think, requires that the exception should be borne in mind. (Revenue Commissioner's letter No. 3195 of 1849, para 6.)

In the remarks made by you in para. 6, regarding the other provisions of this rule, Government concurs. G. L. No. 6900 of 1849, para 4.

Rule 6 is approved, provided no Meeras Baree, or recognized heritable right, is interfered with. G. L. No. 5593 of 1848, para. 20.

Rules 7 and 8 should, in the opinion of Government, be relaxed only in cases in which any of the co-sharers in the field have held possession of their land for upwards of twenty years, and then never but in cases in which the Collector himself, or an experienced Assistant, may consider the relaxation absolutely necessary to prevent considerable hardship being entailed on individuals. G. L. No. 6900 of 1849, para 7.

APPENDIX No. 500

Survey and Settlement of Bombay.

EXTRACT PARAS. 19 TO 39, FROM CAPTAIN WINGATE'S REPORT OF 30TH JANUARY 1851, No. 44.

PARA. 19. The khotee villages, as already stated, are by much the most numerous, and as upon the view taken of the khotee tenure will depend the nature and extent of any revenue and administration reforms, whether by means of a survey or otherwise, capable of being introduced into these villages, I shall make no excuse for examining the khotee system at considerable length.

20. Mr. Pelly has stated, in his Revenue Report for 1819-20, that "the origin of the "khotes is not easy to be traced, but it is believed they were introduced along with a "grain rental no longer time back than about the time of Nizam Shah. The principal "benefit arising from their institution is the facility with which, through them, the reve-"nues are collected ; for the more respectable of them are capitalists, who lay out money "in bringing new land into cultivation, and may be considered as a description of yeomanry. "They may be separated into two classes, the wuttundar khotes (as they term themselves) "and the sircarree. The latter are liable to be at any time displaced by Government. "The wuttundar khotes, on the contrary, maintain that they possess an hereditary indefea-"sible right, and that they cannot be dispossessed ; and there is this strong point in their "favor, that, under the late Government, they frequently pawned, and sometimes sold, their "offices. The older inhabitants, however, of the Northern Konkan, ridicule the combina-"tion of wuttundars and khotes as terms irreconcileable, maintaining, that as khotee "means only 'mukta,' farm or contract, to designate a man an hereditary contractor is an "absurdity."

21. Mr. Chaplin, from information obtained at Poona, was of opinion that the "khote is the farmer of the revenue, and is alone answerable to Government for the "rent, and the ryots to him. He farms the lands at the Government assessment, and lets "them out to the best advantage to the ryots. In letting the lands, he is not guided by the "rent fixed by Government for each ryot's land, but gets as much more as he can ; nor "has the ryot any right to it, except on the terms which he can agree upon with the khote ; "the only limit to the khote's demand being the fear that the land may be thrown up "without his being able to find another tenant for it. If the khote demands more than "the ryot can pay, the latter quits the village in search of a more liberal landlord. If the "ryot refuses to pay an equitable rent, the khote ejects him, and lets the land to a better "tenant. Custom, however, appears to have fixed one-half the produce as the limit of "rent, when the khote and the ryot cannot agree on any other settlement. The khote "exhibits uniformly every year in his accounts the sircar's total jummabundy, what-"ever he may have levied from the ryots, so that Government does not know what "they actually pay, nor whether the khote may gain or lose by his farm. The khotes "are believed to have arisen during the Government of the Beejapoor kings, and their "sunnuds of appointment are said sometimes to specify that the person is constituted "khote of the village to restore it to prosperity. This circumstance, added to the meaning

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" of the word, renders it extremely probable that the origin of the system was a kowl " or istawa lease, granted to individuals of property, to restore the prosperity and cul- " tivation of ruined villages ; but, however this may be, it has grown into a regular " established and acknowledged right of farm. The direct consequence of the kholwar " system would seem to be to keep the ryot in the lowest stage of poverty. He ap- " pears to be nearly in a state of villenage under the khote, and has scarcely any interest " in the soil, since he neither gains by its improvement nor loses by its deterioration. " The khote has little further interest in the ryot than he has in the cattle or implements " of his husbandry."

22. These opinions, as to the absolute proprietory rights of the khotes over the disposal of the land, were given in 1820 and 1821, shortly after we obtained possession of the country ; but further acquaintance with the revenue system showed them to require considerable modification.

23. Mr. Collector Dunlop, writing in 1822, stated that " some of the khotes are " described as wuttundars, and others as having acquired the khoteship by mortgage of vari- " ous kinds. The first, or wuttundars, are purely farmers, and are found principally in the " villages along the ghâts. They are said to have had their rise from the distracted state " of the province, the revenue of which was divided between the Waree, Kolapoor, and " Angria's Governments. These disturbances caused many villages to be entirely deserted, " which were, therefore, farmed to any person who would engage for their revenue. These " persons now claim, on the ground of length of possession, to be wuttundars. The " cultivators appear to be generally becoming entirely dependent on the khotes, except " those employed in the pagodas and religious services." Previously to these disturbances, the whole province seems unquestionably to have been koolargee. The other description of khotes distinguished as not being wuttundars have generally acquired possession, either by a single mortgage—the village to be released on payment of the debt, the produce " being accounted against interest—or by mortgage for a term of years. Villages " thus mortgaged have generally been koolargee at the time, and the mortgagees collect " at the rate of half-produce from the cultivators who have pawned their rights as " khuletees ; but it is understood that there are many cases in which all the khuletees " have not signed the mortgage bond, and these persons appear to have a good claim for " restitution. I have also met with khotes holding under Mhal or Soobah sunnuds, which, " not being held to confer a proprietory right under the Peishwa's Government, should not " be admitted under ours. The unfortunate ryots are asserted to be quite dependent " on the khotes, which is at least true, according to the present practice ; but some " representations were at different times made to Poona, when the Peishwa's Government " interfered and settled the rates. It unfortunately happens that most of the hereditary " district officers, deshmookhs, and deshpandeys, are also khotes ; so that it is difficult to " obtain information ; but the practice of the former Government seems sufficient to " authorize ours in establishing rules to restrain the exaction of the khotes.

24. The cultivators or ryots in khotee villages (with the rare exception of such former dharakurrees as had parted with their rights under specified conditions, to which the khote was bound to adhere, such as to pay 1½, 2, or 2½ times the Government assessment on their lands as rent to him) were supposed, by all the above-mentioned officers, to be mere tenants-at-will of the khote, under the name of widhelees, who paid half the produce as rent, or khundkerees, who paid any amount agreed upon to the khote, generally in kind.

25. The same view of the respective position of the khote and ryot was adopted by this Government in 1825, as appears from the following remarks in the Government reply, No. 33, dated the 10th January of that year, to Mr. Dunlop's Revenue Report for 1823-24 :—

"There appears to be no reason to doubt that the khotes were originally farmers "(as the name still implies in common language); but it is equally plain that many, if not "all of them, have long been considered as enjoying a hereditary claim to these farms. "Whatever may have, therefore, been the origin of their title, they appear now to have "acquired a right with which it would neither be just nor politic to interfere.

"The Governor in Council is therefore of opinion, that any improvements should "be confined to ascertaining and securing the rights of the other classes, without setting "aside the claims of the khotes. If it can be ascertained, beyond a doubt, that a certain "portion of the gross produce was, during some good period of the former Government— "as in the time of Nana Fernuvees—the acknowledged rent due by a dharakhurree to his "khote, it might be rendered obligatory on the latter to prove his title to any further "payment before he was allowed to levy it. The widhelees do not appear to possess even "a usufructuary right to the soil which they cultivate; but to change from place to place, as "they are invited by favorable terms, with them it seems unnecessary to interfere by "any rule on the part of Government. The competition among the khotes themselves "will always secure them the requisite remuneration for their labor."

26. In addition to the right of levying what rents he pleased, the khote was understood to have the right, and to be in the habit, of exacting one day's service in eight from all his tenants, or at least all who were not dharakurrees or could not establish a right to exemption.

27. Such were the prevailing views on the subject of the relative position of the khote and his ryot entertained by the revenue authorities of the Presidency, when a Revenue Survey of the Rutnagherry Talooka was undertaken and placed under the superintendence of the late Lieutenant Dowell. The researches of this officer throw great additional light on the subject; but the record of them completed twenty years ago, has lain, in a great measure, neglected on the shelves of the Rutnagherry Office ever since; and I am not aware that they have been to any extent instrumental in changing the views of the khotee system propounded above, although the experienced evils of this plan of revenue management have brought about a general impression of the desirableness of some reform.

28. Lieutenant Dowell, in his Report of 1st November 1829, gives the following description of the khotee system, as it then existed in the Rutnagherry Talooka, which I shall extract at length, as the most perfect account of the tenure I have seen :—"The "khotee tenure is equally permanent with the koolargee, and possesses additional privilege. "It is supposed to be of more modern origin (some villages have, indeed, become khotee "within the last eighty years), and that the khotes were the farmers of the village "revenue, who were suffered to remain till the tenure became hereditary, and that the "present cultivators under the khotes are the families of the former dharakurrees and "of older standing in the villages than the khotes. They are usually called the kurdes "or tenants of the khotes, but are known among themselves as the wuttundars of the "khotee villages. They consist of all castes; the coonbees being the most numerous, and

"they form the chief population of the Talooka; each family, or each cluster of houses, "bearing the same family name, cultivate a portion of the wurkus land within fixed "boundaries, and manage the crops and fallows without reference to the khote, who "examines, however, at seed time, the state of the cultivation, and goes round at "harvest to collect his dues. The khotes usually divide the rice land among their "own family, each member of which holds also a piece of wurkus land like the other "cultivators.

"The rights of the kurdes, as they are merely customers, are not the same "in all villages: the commonest of these are the following:—A kurde who pays "his revenue cannot be ejected by the khote, nor can the khote or any other kurde "cultivate within his bounds, except by his permission, as long as he cultivates him-"self the accustomed portion; if a khote wishes to eject any troublesome kurde, "his only means is to assess his fields above what they can pay, which has been known "to occur. The kurde, however, might still remain in his own garden and cultivate "the surplus khotee lands of the village; but if he were to settle in another village, "he would not acquire wuttun there, nor would he lose that which he had vacated in "his own. If the family of a kurde fall sick or diminish, so that part of his lands be "waste, the khote may place a stranger temporarily to cultivate his land, or may divide the "waste part between the adjacent kurdes; but when the family becomes able to till their "lands, they may eject the new tenants; or if they return to the village after many years' "absence, they may eject them; if they never return, it becomes gyallee land, and belongs "to the khote. The jack trees that gradually arise in the garden or field of a kurde "belong to the khote, who assesses all new trees from the year of their first bearing fruit, "from half an anna to four annas each, according to their produce; those of Brahmins "being assessed most lightly; and each new ryot that settles in the village is assessed by "the khote for ghurputtee and gaon khurch. These customs concern only that part of a "khotee village which is permanently divided among the inhabitants and which usually "consists of about three-fourths of the village: the remaining fourth is called gaweek land, "and its annual cultivation is managed by the khote: it is generally the worst part of the "wurkus land; a part of it is cultivated by as many of the villagers of all castes as are able, "for which they ask the khote's leave; but he depends chiefly on strangers who come annu-"ally to rent pieces of gaweek waste, and who are called badeekurrees and doolundees, and "are allowed by the khotes some small abatement in their grain payments, to encourage "them to cultivate. Some of these are wuttundar kurdes of neighbouring villages, and "some possess no land elsewhere. The khote has no claim on them for the monthly days "of labor, which he exacts from the working castes of his kurdes, at reduced wages. The "cultivators of gaweek land resemble the oopurres in the Deccan; the khotes standing "in the place of Government.

"The cultivators under the khote, both kurdes and badeekurrees, are called urdhe-"lees and theerdhelees: the share of gross produce to be paid by them is fixed annually "in every field by agreement between the khote and cultivator, who go round "together a few days before harvest, and settle it by estimating the quantity of grain "each field appears to contain; both parties endeavoring to better their own bargain "in every field. A third part of the gross produce is the share assumed as their due by "the khotes in middling wurkus land, from which variations are made according to "the soil, the labor required, &c. In the worst hill land, about a fourth is taken in good "level wurkus more than a third; the new grain, however, to be paid by each field is fixed "in maunds and pailus, the share to be taken being merely understood, otherwise the khote

" might be subjected to a measurement in over-assessed fields. In rice land half is taken, " and still more in the best rice soils, and the batty is measured, not estimated. The fees " due to the mhar and gooroo are paid by the cultivators, which increases the real payments " for middling wurkus to about half the produce. The kurde, too, pays for the annual " sacrifices each field requires, but they are of little cost.

" In fields where the khote and his kurde cannot agree as to the produce, they appoint " a tirayut of the chief wuttundars, and as all the villagers are present with the khote " at his survey, the payment is settled at once: this occurs frequently. The only check " the kurdes have against false entries by the khotes is their own recollection of the agree- " ment made in each field. In cases of poverty or loss, the khote remits a little of the " revenue; but not to a greater extent than four or five maunds in the whole village. In " bad seasons the loss falls on the khote, as the kurdes pay only for the grain that thrives; " and when the Sircar grants a remission for a bad season, the khote is consequently the " only gainer. The contract of the kurde is sometimes for the field itself, without reference " to the crop; this is usual for the grain cultivated in the small gardens of the wuttundars, " the payment being permanent in money. The Mahomedans from the coast rent small " fields in this way to cultivate hemp for their nets; and the Brahmin kurdes, who till rice " and level wurkus land, sometimes agree for the quantity of grain to be paid before " ploughing: this last they call the settlement by khund, the money payment mukla, " and the usual harvest inspection thul. To this annual survey of zerayut and bagayut " may partly be attributed the low state of cultivation in khotee villages, since the kurdes " have little motive to make improvements which would be annually taxed. These are " a few of the customs concerning the land, and there are others which vary in different " villages; each village has, indeed, peculiar customs on many points, which descend into " trifling matters, and are observed by the villagers, who are unwilling to depart from the " custom of their village."

29. These opinions on the respective rights of the khotes and their tenants were formed by Lieutenant Dowel, after a minute investigation of the tenures and customs obtaining in each village during the progress of the survey, the results of which he has left recorded in several large manuscript volumes, all written with his own hand. Two of these I have examined, and the following extracts from them are given as bearing on the question at issue, and as examples of the information they contain :—

" 30. In the khotee village of Oombree, a kowl given in the time of Madoo Rao " Peishwa, 1794 A. D., to a Brahmin who made one and a half beega of rice land from " wurkus by Myput Rao Krishu Mamledar, by which the Brahmin had the field for twen- " ty-one years free, four years istowa, and subsequently one-quarter inam, which is held to " this day. Below the inam puttr is a proclamation, that any one who will farm rice land " out of jungal gurk shall have one-quarter inam and — years free." This instance of a Government officer granting land in a khotee village is against the hypothesis of the khote being absolute proprietor of the soil.

" 31. A piece of land was sold to a person for Rupees 26 a beega, and a meeras " and inam puttr given to him by the khotes and zemindars of three villages in which it " was situated. In the inam puttr it says that he, the inamdar, having called together " the khotes and zemindars of the three villages, and they having found a piece of land " (bewarusa) without an owner, gave it of their own consent to him as meeras, with a meeras " puttra; so that he became owner and inamdar at once. This was in Madoo Rao Peishwa's

"time." This case is in favor of the right of the khotes to sell, with the sanction of the hereditary zemindars, gaweek land or that without owners, but with equal force, might be used to show that they have no such right over the land of the kurdes or permanent residents.

32. The following is an instance of badekurrees acquiring a permanent tenant right in a village where they do not reside :—"The same cultivators call themselves wuttun-"dars (hereditary land-owners or occupiers) of Pattrut and Kolwun (two villages, the latter "without permanent residents.) They have the whole of Pattrut in wuttun, which is their "first wuttun. They have also the whole of Kolwun in wuttun; but this they say the "khote divided among them formerly, and so made it their wuttun, and they still have "each their own field in Kolwun; and the neighbouring cultivators ask them, and not the "khote, about tilling the land. There is no khotekee gaweek land in either village, except "the wussar gurhwanee (deserted village site.)" This is a very instructive example of the mode in which a khote may assign away his gaweek land to tenants in hereditary occupancy or wuttun, most probably with the view of inducing them to bring the waste into cultivation.

33. As an example of the difficulties of obtaining correct information as to the various tenures, I would cite the following :—In Paurus Muhal, on arriving, the khotes and coonbees, and mahars who came to the tent, agree in stating that the wuttundar coonbees, who are the khotes' kurdes, have no separate tikaus (holdings) appropriated to each, and recognized and held in perpetuity by the coonbees under the khote, and not cultivated by strangers, except with the coonbees' consent. This information is, I find, in Warree Nimboo and in Waghrat untrue, having found, by inquiries made of single coonbees in the fields in those two villages, that the coonbees have all wuttun land in perpetuity, and every village in the muhal has therefore probably the same as they have in Hautkambe and Kele (two muhals or circles of villages.) The khotes and ryots of Chandwur stood a long examination without confessing this, having been previously instructed probably.

34. Numerous similar examples might be cited from Lieutenant Dowell's notes, and all tending to prove the correctness of the opinion held by that officer, that, with the exception of the gaweek or gyallee land, which bears a small proportion to the whole, the land in khotee villages is divided among, and held in perpetuity by, the kurdes or permanent tenants, whom the khote has no right to dispossess, and from whom he can exact no more than the recognized share of the produce and some additional cesses, according to the usage of the village. I am myself quite satisfied of the correctness of this view of the position of the khote and his permanent ryots, and indeed found that all the khotes whom I had opportunities of conversing with privately during my short visit last season to the Konkan, indirectly admitted that they could not appropriate the land of a kurde or permanent tenant, and give it to another party without the consent of the former.

35. The data collected by Lieutenant Dowell refer only to the Rutnagherry Talooka, but I was given to understand that the rights of the khotes are much the same in all parts of the Collectorate. They appear to me to fall very far short of an absolute proprietorship of the soil; and though the khotes hold among the members of their families much of the best land in khotee villages, they do so, not in virtue of their being khotes, but of their being permanent cultivators. The rights of the khotes appear to me to be nothing more than might be anticipated to have grown out of their original position as

farmers of the Government revenue. They were frequently, probably almost universally at first, persons of some wealth and influence, and in the then disturbed and distracted state of the country, the ryots were probably glad to have the khotes to stand between them and the revenue officers, and for this protection to put up with a good deal of oppression and injustice at their hands.

36. In the course of time, by fair means and foul, the members of the khotes' families became possessed of much of the best land, and the old proprietors were mostly obliged to content themselves with the inferior "wurkus," over which, however, their ancient rights have, to a greater or less extent, been continued to this date. In fact, so strong is the feeling of hereditary right, that even in the case of a village peopled entirely by the efforts of the khote, the lapse of two or three generations would probably suffice to constitute a tenant right in perpetuity in the opinion of the people, and any attempt on the part of the khote to oust a ryot from a field which had descended to him under such circumstances, however acquired in the first instance, would be viewed as an act of glaring injustice and oppression. Any exercise by the khotes of absolute proprietory right over the hands of the permanent tenants, must, in my opinion, have originated in usurpation, for even the dharakurrees, who are said to have voluntarily become urdhelees to escape the oppression of the Government officers, must have taken that step, in order to retain possession of their lands, or some portion of them; and I do not think that any one familiar with the strong feeling of attachment entertained by the cultivators of this country for their paternal fields would imagine that any circumstances of exaction would induce them to relinquish entirely a previously acknowledged hereditary right of occupancy. The dharakurree, without doubt, assigned away in some instances his right as a superior holder to the khote; but I think for the purpose of preserving his still more cherished right of hereditary occupancy.

37. I am therefore inclined to think that the exercise of a power of dispossession towards the permanent tenants on the part of the khote may fairly be viewed as based on usurpation, whereas the rights of the permanent tenants seem free from any such taint, and to have either been inherited from time immemorial, or to have naturally grown out of their position. The claims of the permanent tenants appear therefore to me to have, *primâ facie*, a presumption of validity that does not attach to the counter-claims of the khotes.

38. The information contained in the compilation now forwarded on the relative positions and rights of the khotes and their tenants appears to be sufficiently full for the purpose of enabling Government to decide as to the propriety of interfering for the purpose of adjusting or altering these; and I am of opinion that there is no necessity whatever for prosecuting further inquiries with this object, it being at the same time most unlikely that they would bring to light any important information that we do not already possess.

39. The tendency of our revenue administration has been all in favor of the khotes. At first we imagined them to be proprietors of their villages, and that all their cultivators were merely tenants-at-will; and in consequence of this view, the revenue officers usually declined to interfere for the adjustment of disputes between the khote and his ryot, by which the khote gradually acquired increased power, more recently when the real position of the two began to be better understood. The system of non-interference had become too firmly established to be altered without careful consideration, and no

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decision, as far as I am aware, on this point has yet been arrived at; so that the khotes still retain most of the privileges allowed to them in the earlier years of our administration.

(True Extract)

(Signed) H. W. REEVES,

Revenue Commissioner, Southern Division.

(True Extract)

J. D. INVERARITY,

Acting Chief Secretary to Government.

STATEMENT explanatory of the Cost of the Scientific and Khusreh Survey Operations in Bengal, per square mile, as well as per acre, prepared from data supplied at pages 512 and 534 of Smyth and Thuillier's Manual of Surveying for India.

Season of Survey.	Cost of Scientific Survey.				Remarks.	Season Completed.	Name of District.	Cost of Khusreh Measurement.			
	Area completed in square miles.	General Average Rate per square mile.	Area completed in acres.	Average Rate per acre.				Extent in square miles.	Average Rate per square mile.	Extent in acres.	Average Rate per acre.
1838-39	1,901	60 0 0	12,16,640	0 1 6		1839	Jynteeah	247.30	29 15 0	1,58,080	0 0 9
1839-40	2,450	49 9 4	15,68,000	0 1 3		1841	Balasore	886.54	34 7 2	5,67,040	0 0 10¼
1840-41	5,145	23 3 4	32,92,800	0 0 7		1841	Cuttack	1,256.59	25 2 2	8,03,840	0 0 7½
1841-42	9,132	25 5 7	58,44,480	0 0 6¼		1841	Pooree	383.41	30 1 6	2,45,120	0 0 9
1842-43	6,035	20 13 0	38,62,400	0 0 6¼		1842	Cachar and Sylhet	234.02	29 11 2	1,49,760	0 0 9
1843-44	7,079	18 4 4	45,30,560	0 0 5½		1841	Tipperah	66.45	48 0 0	42,240	0 1 2¼
1844-45	7,043	16 10 2	45,07,520	0 0 5		1840	Hidgelee & Tumlook ...	525.02	37 1 3	3,36,000	0 0 11
1845-46	8,967	12 10 8	57,38,880	0 0 3¾		1843	Behar	562.18	35 5 2	3,59,680	0 0 10½
1846-47	7,429	14 9 5	47,54,560	0 0 4½		1842	Patna	1,157.35	23 1 9	7,40,480	0 0 7
1847-48	7,097	18 2 5	45,42,080	0 0 5½		1845	Sarun	1,160.00	16 14 8	7,42,400	0 0 5
1848-49	6,243	21 0 4	39,95,520	0 0 6¼		1845	Midnapore	756.75	31 10 9	4,83,840	0 0 9½
1849-50	4,874	25 11 1	31,19,360	0 0 7¾		1848	Manghye	843.50	21 7 5	5,39,520	0 0 6¼
1850-51	3,565	36 0 6	22,81,600	0 0 10¾		1848	Purneah	2,494.00	29 7 3	15,96,160	0 0 9
1851-52	3,826	31 5 0	24,48,640	0 0 9¼		1848	Shahabad.....	313.00	19 14 4	2,00,320	0 0 6
1852-53	4,246	31 0 8	27,17,440	0 0 9¼		1849	Tirhoot	1,679.25	15 10 11	10,74,560	0 0 4¾
Total...	85,032	26 12 1	5,44,20,480	0 0 8			Area Measured by Khusreh in 15 Completed Districts....	12,565.00	28 8 6	80,41,600	0 0 8½

Cost of Scientific and Khusreh measurement combined, per square mile..... Rs. 55 4 7
Ditto ditto ditto „ acre..... „ 0 1 4½

1553

STATEMENT exhibiting the entire cost of the several operations comprising a Revenue Survey in the Bombay Presidency, per acre, as well as per square mile, taken from the actual cost of the Revenue Survey of the S. M. Country, from the date of its commencement to the close of October 1855.

Years.	Total Area Arable and Unarable. Measured. In acres.	Cost per acre.	In square miles.	Cost per mile.	Classified. In acres.	Cost per acre.	In square miles.	Cost per mile.	Cost of both operations. Per acre.	Per mile.	Total cost of Survey.	Remarks.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.
From Sept. to 31st Dec. 1842	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	49,867	
" Jan. 1843 to 31st Oct. 1844	5,80,289	0 2 2	906—449	86 10 8	28,226	0 1 6	440—625	60 0 0	0 3 8	146 10 8	1,06,496	
Year ending 31st Oct. 1845	3,72,715	0 2 7	582—235	103 5 4	3,83,933	0 0 11	599—573	36 10 8	0 3 6	140 0 0	84,842	
" " 1846	5,49,581	0 2 7	858—461	103 5 4	4,50,682	0 0 10	704—122	33 5 4	0 3 5	136 10 8	1,12,800	
" " 1847	5,69,152	0 2 11	889—192	116 10 8	5,17,730	0 0 9½	808—610	31 10 8	0 3 8½	148 5 4	1,30,671	
" " 1848	7,86,025	0 2 1½	1228—105	85 0 0	4,68,452	0 0 11	731—612	36 10 8	0 3 0½	121 10 8	1,31,824	
" " 1849	8,69,036	0 1 8½	1357—556	68 5 4	6,44,831	0 0 8¼	1007—351	27 4 8	0 2 4¾	95 10 0	1,20,526	
" " 1850	10,85,118	0 1 5½	1695—318	58 5 4	7,80,254	0 0 7	1219— 94	23 5 4	0 2 0½	81 10 8	1,27,488	
" " 1851	7,18,806	0 2 1¼	1123— 86	84 2 8	8,16,986	0 0 6½	1276—346	21 10 8	0 2 7¾	105 13 4	1,22,397	
" " 1852	4,72,357	0 2 7¾	738— 37	105 13 4	6,78,682	0 0 7¾	1060—282	25 13 4	0 3 3½	131 10 8	1,05,550	
" " 1853	8,42,804	0 1 9	1316—564	70 0 0	6,15,534	0 0 8¾	961—494	29 2 8	0 2 5¾	99 2 8	1,20,987	
" " 1854	7,45,684	0 1 11½	1165—264	78 5 4	4,66,351	0 0 11	728—431	36 10 8	0 2 10½	115 0 0	1,18,665	
" " 1855	6,65,891	0 1 9¼	1040—291	70 13 4	7,15,808	0 0 8½	1118—285	28 5 4	0 2 5¾	99 2 8	1,05,334	
	82,57,458	0 2 1¾	12,902—178	85 14 5⅓	68,21,469	0 0 9¾	10,658—349	32 8 10	0 2 11½	118 7 1⅓	14,37,387	

(True Copy)
J. D. INVERARITY,
Acting Chief Secretary to Government.

(Signed) HENRY W. REEVES,
Revenue Commissioner, Southern Division.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY LIMITTD, NO. 1, WESTON'S LANE, COSSITOLLAH.

APPENDIX No. 501

Survey and Settlement of Bombay.

EXTRACT PARAS. 1, 5, 6, 28 TO 43 OF A LETTER FROM CAPTAIN WINGATE, SUPERINTENDENT REVENUE SURVEY AND ASSESSMENT, SOUTHERN MAHRATTA COUNTRY, No. 384, DATED THE 17TH OCTOBER 1851.

1. BY the Government letter No. 5298, dated 12th May last, I was instructed to take a favorable opportunity for leaving my own work before the close of the monsoon and joining the Revenue Secretary, Mr. Rogers, and the Superintendents of the Ahmednuggur and Deccan Surveys at Poona ; and after consultation with these officers to place before Government a well-matured plan for carrying on the arrangements which we might concur in considering advisable for Guzerat and the other unsurveyed parts of the Presidency.

5. Appended to this Report are four Statements, drawn up from information obtained from the Dufturdar of Surat, showing the number of villages and their approximate area in beegahs in the four Collectorates of Ahmedabad, Surat, Kaira and Broach, from which I have framed the subjoined abstract :—

Name of Collectorate.	Number of Talookdaree and Mewassee villages.	Number of Government Villages and their Area in Beegahs.						
		Nerwa Bhagdaree or Oodur Jummabundee.	Khatabundee and Beghotee.	Toolwarree or Bhagbuttaee.	Total number of villages.	Rough Estimate of Area of alienated land in Government villages.	Area of Government land in beegahs.	Per-centage of Government land in cultivation beegahs.
						Beegahs.		
1. Ahmedabad	491	7	328	157	492	6,17,513	11,38,379	44
2. Surat	...	7	609½	189	805½	1,87,895	9,91,377	75½
3. Kaira	...	129	416	...	545	5,28,717	6,91,753	65
4. Broach	...	263	150	...	413	3,04,730	8,12,567	93¼
Total.....	491	406	1,503½	346	2,255½	16,38,855	36,34,076	

6. The total area of the Government villages is thus shown to be about 5,300,000 beegahs, *viz* :—

Alienated land	16,38,825
Government land	36,34,076
Total Beegahs... ...	52,72,901

The beegah, however, is not of uniform size throughout Guzerat, as will appear from the information regarding it embodied in Statement of my Appendix ; but in most parts it would

appear to contain 25,600 square feet or 2,844½ square yards, which is little over half an English acre. If, however, we assume it to be two-thirds of an acre on an average throughout the province, which is probably considerably over the mark, the above-mentioned 53,00,000 beegahs are equivalent to 3,500,000 acres in round numbers, which may be taken for the area of the 2,255½ Khalsat villages comprised in the four Collectorates of Guzerat.

28. The soil of Guzerat is understood to be of tolerably uniform quality over considerable tracts of country, and to be generally of great depth, owing to which circumstances the task of classifying it ought to be a simpler and more rapid process than in the parts of the Presidency hitherto surveyed. It is said to have three principal varieties, *viz.* black, white and alluvial, in the case of dry-crop soils, and Mr. Rogers was of opinion, after consultation with Mr. Jordan and Jeyabhoy Hurreebhoy, the Dufturdar of Surat, that if each of these kinds of soil were divided into three classes, with a different rate of assessment for each, the classification would be sufficiently minute to meet the peculiarities of all the soils to be found anywhere in the province. It appears to me, however, that these varieties of soils must pass from the one to the other by an imperceptible gradation, and that in practice it would often be difficult or impossible to say to which sort a particular soil under inspection should be assigned.

29. For this reason, I am of opinion that, instead of three classes to each of the three chief varieties of soil, it would be preferable to have nine classes, as in the system of classification recommended in the Joint Report, applicable generally to all the varieties of soil according to their relative values. The element of depth, of so much importance in the Deccan, would seldom apply in Guzerat, where the particular class to which a soil should be referred would have to be determined chiefly in consideration of its deteriorating ingredients or faults. The number and nature of these faults can only be settled by local investigation, and the officers in charge of the survey would have the best opportunities for doing this satisfactorily while the measurement is in progress. A separate classification and assessment should be made for each number included in a survey section.

30. Irrigated lands would require to be classified according to the quality of the soil and the command of water for irrigation, as in the surveyed Collectorates. The details of the operations might require modification to adopt them to the circumstances of these lands in Guzerat, but the extent to which this may be necessary must be left for the survey officers to decide.

31. With regard to the settlement of rates of assessment, it is maintained that, in the Veerumgaum and Purantej Talookas of Ahmedabad, and in parts of Kaira, and in some of the inland districts of Surat, the difference of agricultural skill and actual condition of the cultivators in neighbouring villages, possessing the same climate and some advantageous position with regard to markets, will differ, as will also, in some instances, that of cultivators in the same village, to an extent entailing the necessity of a diversity of rates on soil of the same class. For instance, in one village the cultivators may be Coombees, who take great trouble in manuring and tilling their land, so as to improve its quality and make it capable of producing good crops; whilst in the other, the cultivators may be poor and of inferior castes, such as Dooblas, Coolies, &c., who take but little trouble with their land, and have not the means of manuring it, and who, consequently, raise but scanty crops. Were equal rates taken from all, either a very serious loss of revenue would be entailed by unnecessary reduction of assessment payable by the superior class of cultivators, or those of the inferior class would be driven to abandon agricultural pursuits, and resume the plundering habits from which they have with difficulty been reclaimed. Moreover, it is not, it is urged, in accordance with the feelings of the people for the better and inferior classes to pay the same rates.

32. To meet these circumstances, Mr. Rogers is of opinion that, after all the information mentioned in the printed Joint Report as required for the settlement of the assessment has been collected by the survey department and reduced to proper shape, the opinion of the villagers themselves, and of other respectable natives, as to the various rates the different classes of soil are capable of bearing, should be taken, and a settlement made, as far as possible, with their consent. He is aware that this plan would have the effect of diversifying the rates in different villages on the same classes of soils, but thinks it would be attended with what is most necessary for the success of such operations, the good will of the ryots, and have the effect of silencing opposition on the part of Revenue Authorities, both European and Native.

33. The objects here sought to be attained are, doubtless, of great importance to the success of the proposed settlement, but the adjustment of the rates in the manner proposed, in order to be at all satisfactory, would require to be made by the European officer, in concert with the members of the native committee, and this proceeding, in the case of every village, would be found on trial to take up a far larger portion of his time and attention than could possibly be spared for the purpose. A similar acceptance of the new rates by the villagers was generally obtained in introducing the assessment at the former Deccan Survey, but it became of necessity a mere matter of form, and was not found to secure the popularity of the new settlement. The survey officers should of course do their utmost to ascertain the real opinions of those qualified to judge as to the proper rates of assessment for different soils and villages; but I doubt the advantage of attempting to make the villagers themselves parties to the settlement of the assessment.

34. The assessment in Guzerat is generally understood to be heavy, and the result of the new settlement would probably be a considerable reduction in the case of the great majority of villages. This, in my opinion, would of itself secure the popularity of the settlement in all such cases, and it is by no means certain that even those villages in which the present assessment is considered light, or those classes of the population which, in consideration of thriftless and idle habits, are allowed to hold land on more favorable terms than the hard-working Coombees, would have their assessment raised by the new settlement. The adoption of a lower standard of assessment would of itself remove many of the greatest inequalities in the existing rates, and possibly leave little occasion for the adoption of the further adjustments contemplated in the preceding paragraphs.

35. Admitting them to be necessary, however, I am of opinion that the assessment should, in the first instance, be fixed on the basis of the measurement, classification, climate, and other considerations specified in the Joint Report, as these alone will enable us to ascertain the relative natural capabilities of the several villages to bear assessment, independent of the actual circumstances of the cultivators at the time.

36. When a standard assessment has been found in this way, it would be matter for consideration whether there be a necessity for reducing it in some villages on account of the habits of the cultivators there differing from those of their class generally. I think, however, that very strong grounds would be required to justify the making of such a distinction between ryots of the same village. In this case, the idle are without excuse, having immediately before them the example of the industrious, and they should be made to feel that their condition will be one of hardship while they remain so. To justify the assessing of the land of one individual more highly than that of another would require us, I think, to show that the holder of the more lightly assessed land is subject to service or to imposts from which his neighbour is exempt, as may be found to be the case with

some of the servile castes in Guzerat, or that the unequal assessment is unconnected with the party in possession of the lands, and has subsisted so long, that the more lightly assessed land bears a proportionately higher value, and has been in consequence frequently bought and sold. The purchasers of such lightly assessed land might have reason for complaint, if the difference of assessment for which they had paid in purchasing the land were to be demanded of them, merely with the view of equalizing the assessment; but the case here supposed will probably not be met with at all in Guzerat, where sales of Khalsat land are, I understand, almost unknown.

37. The cases of villages wholly or chiefly peopled by tribes lately reclaimed from predatory habits, and of inferior industry and intelligence to the agricultural class, generally are differently placed, and a reduction of the standard assessment, found as above explained, either for the whole terms of the settlement or for a more limited period, may, in such cases, be expedient. The condition of such villages is probably very various according to the length of time their inhabitants may have settled down to agriculture, and it would most likely be found undesirable to effect the proposed reduction from the standard assessment by a uniform proportion applied to all of them. The method of settling the reduction would have to be determined, I think, on a combined consideration of the previous assessment and of the condition of agriculture in each village compared with that obtaining in the villages subjected to the full or standard assessment.

38. In deducing from the cultivation assessment and collections of past years of any pergunnah or other division what the future standard of its assessment should be, the foregoing data for the exceptional villages considered in the last paragraph should not be taken into account, as they would lower the average results for the remaining villages.

39. Bhagdaree villages in Broach and Surat and Nerwa villages in Ahmedabad and Kaira should be surveyed and assessed by processes precisely similar to those adopted for Beghotee villages, but the collection of the assessment thus determined according to the fractional shares of the several Bhagdars, or to some arrangement similar to that adopted for the Joodee estates of the Southern Mahratta country, would, I think, be found suitable. The point, however, does not seem to require more than incidental notice in this place, as the best mode of giving effect to the settlement in the case of these or other exceptional tenures will of course have to be specially considered and reported on by the officers who may introduce the new assessment.

40. If any change be considered necessary to be made in the assessment of Talookdaree and Mewassee villages, or, if it be deemed desirable to obtain correct information as to the valu eand resources of such villages, I think the best plan would be to ascertain by actual measurement, but without reference to fields and without laying down boundary marks, the actual extent of dry-crop, rice and garden lands, waste and cultivated, and also the extent of the unarable waste contained within their limits. The chiefs of these villages, if previously made aware of the intention of Government to do this, and after having the nature of the operations well explained to them, would surely not venture to oppose the prosecution of the work. Talookdaree villages have been subjected to survey, I believe, throughout the North-West Provinces, in parts of which the Talookdars are probably as jealous of interference as in Guzerat; and as there could hardly be any serious difficulty in enforcing compliance on the part of the latter, if found requisite, I see no adequate grounds for exempting their villages from such survey operations as may be necessary to answer the purposes of Government. The survey of the Talookdaree villages might, however, be postponed till the completion

of the survey of Government villages, by which time the talookdars would have become familiar with the operation, and be probably less disinclined to submit to its extension to their villages.

41. The Ahmedabad Collectorate appears to be most urgently in need of a revision of assessment, and from the great extent of waste there it offers the greatest scope for improvement, for which and other reasons concurred in by the Revenue Secretary and Mr. Rogers, I recommend the experimental survey, proposed in the present Report, to be prosecuted during the ensuing fair season in the Dholka Pergunnah of that Collectorate.

42. For the first season these operations should be confined to the measurement in my opinion, as the classification cannot conveniently be prosecuted until the maps and other data obtained from the measurement are all ready, which could hardly be before the close of the first monsoon following the commencement of the survey. There would be a further advantage in the delay, as it would enable the survey officer to obtain some acquaintance with the people, the seasons and soils, as well as to acquire a knowledge of the language of the province, before being required to superintend the classification.

43. In order to complete the survey within five or six years, it might be expedient eventually to constitute two survey departments, but I think it would be a safer and better plan to commence operations with a single department under the superintendence of an experienced survey officer. For some time at all events, and indeed until Government is satisfied of his competence to prosecute it without assistance, I think it most necessary that this officer should be placed under Mr. Rogers, or some other officer having authority in the province, and acquainted with the habits and feelings of the people, as well as familiar with the revenue systems obtaining there. I think, however, that the latter officer's control should not extend to the interior management of the survey department, or to the processes used in the execution of the measurement, mapping, &c., of which the survey officers may be presumed to be the best judge. All other matters connected with the survey, such as the co-operation of the districts and village authorities, the division of the land into numbers, the construction of boundary marks, the settlement of boundary disputes, the classification, the collection and arrangement of statistical information, the settlement and introduction of the assessment, should be effected in concert with the superintending civilian, and be subject to his control. It would, however, be probably most convenient for the survey officer to keep the accounts of the department and be responsible for all the disbursements connected with it, excepting the pay of the superintending officer, who, it is presumed, would also be an assistant to the Collector of the district under survey, and whose pay therefore might be conveniently debited to his establishment.

502

EXTRACTS PARAS. 1 TO 8 OF A LETTER FROM CAPTAIN WINGATE, REVENUE SURVEY COMMISSIONER, No. 180, DATED 2ND APRIL 1853.

PARA. 1. With reference to the 26th paragraph of my Report No. 282, dated 23rd August last, in which I made some suggestions relative to the duties to be assigned to Captain Fanning and Mr. Rogers, in connection with their superintendence of the survey operations in Guzerat, and in compliance with the instructions conveyed in the 5th paragraph of the Government reply, No. 6464, dated 8th October following, I have now the honor to submit such further suggestions as have occurred to me in consequence of what I observed and learned of the duties likely to be required of the survey officers in the settlement of the land assessment in Guzerat during my late visit to the province.

2. In the Ahmedabad Collectorate, where the survey is now in progress, there is a great variety of usages connected with the regulation and realization of the land assessment, and all of them in some points objectionable and requiring reform; and in consequence of this variety of landed tenures and revenue usages, no effective or close supervision of the details of revenue management has been kept up by the European officers.

3. These circumstances will render the introduction of a novel and comparatively uniform plan of revenue management of much greater difficulty than in the Deccan Collectorates. For some time after the introduction of the new system, a very close and active supervision of all its details, by officers thoroughly conversant with the principles of the survey settlement and their practical application, would be most advantageous. This very important duty should, I think, devolve on Mr. Rogers, who should, I think, assume the revenue charge of each district as the survey settlement is about to be introduced in it, and retain this charge for a year or more afterwards, until he has had opportunities for disposing of all doubtful points connected with the future administration of the settlement and assured himself that the management might safely be transferred to the ordinary authorities.

4. The talook establishments and the duties and emoluments of the officiating hereditary district and village officers appear to stand in great need of revision and settlement in most parts of Guzerat, and it would, in my opinion, be very desirable to assign the duty of effecting these objects to the survey department. The items of village charges appear also to require examination and revision, as from what I learned of this subject from Mr. Rogers when in Guzerat, I am satisfied that public money is now expended under this head in numerous instances on objectionable and trivial objects.

5. It would not be practicable, however, for a Superintendent of Survey to undertake the laborious investigations requisite to the accomplishment of the reforms above alluded to without prejudice to the proper supervision of the survey operations and his general management of his department. It appears to me that a civilian in the position of Mr. Rogers, in addition to the ordinary Superintendent of Survey, is required for the successful introduction of the survey settlements and other remedial measures with which they should be accompanied, as well as for the duties more particularly adverted to in the 43rd paragraph of my Report No. 384, dated 20th October 1851, on the arrangements most advisable for the survey of Guzerat.

6. I think then that Mr. Rogers' connection with the survey department in Guzerat, instead of being temporary, might with much advantage be made permanent. He might be styled settlement officer, and his duties and those of the Superintendent of Survey might be defined as follows.

Respective duties of survey and settlement officers.

7. The settlement officer should submit himself, or at his option call upon the Superintendent to submit to him proposals for the assessment and settlement of tenures. He should be responsible for the proper introduction of the survey settlement and superintend the working of it for a sufficient time to ensure its principles and rules being fully understood and carried out by the district and village establishments. He might also submit proposals for the regulation of the members, duties, and emoluments of the stipendiary and hereditary district and village establishments, and also for the revision of the village charges. He should be considered as the head of the survey department and have the power of calling on the Superintendent for any explanations regarding the survey operations and offering his advice as to the propriety of introducing changes or improvements in the mode of conducting them, though

he should not have the power of carrying out such suggestions, except with the consent of the Superintendent, as in all matters connected with executive details the latter officer should, in my opinion, be free to exercise his own judgment. But in the event of any irreconcilable differences of opinion arising between the two officers, the settlement officer might submit his own and the Superintendent's views, through the Revenue Commissioner, for the decision of Government. The records of both the Settlement Officer and Superintendent should, I think, at any time be open to the inspection of either officer, as it is of importance that both should have the power of informing themselves on all matters connected with the survey.

8. The Superintendent of Survey should, I think, be responsible for the correct execution of all the survey operations, the exercise of due economy in his expenditure, and for all matters connected with the interior economy of his department. He might submit his annual progress report of the survey operations through the settlement officer, and also all correspondence on survey matters regarding which he is desirous of obtaining the opinions of higher authority, unless they be connected with expenditure, accounts, indents and stores, leave of absence, or similar matters of routine, which it would be useless and occasion trouble and loss of time to forward through the settlement officer. On all of these subjects he should therefore correspond direct.

503

EXTRACT PARA. 2 OF A RESOLUTION BY THE GOVERNMENT OF INDIA, No. 1180, DATED THE 22ND MARCH 1855.

PARA. 2. The Government of Bombay observes that it is most desirable that Mr. Rogers be retained in his present appointment, his duties being of a nature requiring such full and minute local experience as could be supplied by no *new* officer however talented, while much of the data on which his settlement will be based is not of that tangible nature which admits of record or of transfer to another. The knowledge that he has acquired since 1851 will be put into full requisition for the delicate duty of fixing the assessment and adjusting local tenures, and a change in the office before the work is matured would involve not only great delay, but, in all probability, a very imperfect assessment. Every month of local experience is of far more value to Government than any trifling expenditure that may be incurred by detaining Mr. Rogers in his present appointment, and placing him on a par with his compeers in point of salary.

504

EXTRACT FROM PARA. 3 OF A LETTER FROM CAPTAIN FANNING, SUPERINTENDENT REVENUE SURVEY AND ASSESSMENT, GUZERAT, No. 71, DATED 31ST MAY 1855, TO THE SETTLEMENT OFFICER, GUZERAT.

PARA. 3. In your 3rd paragraph you observe that, in all surveys except those of Rutnagherry and Guzerat, the Superintendent performs the duties of assessment officer as well as those connected with the supervision of the various establishments of the department. The amount of work of which the Superintendent is thus relieved here is no doubt considerable, for although, during the survey and classification of a district, as Superintendent, having at his command details concerning previous revenue management, can hardly avoid settling in his own mind the rates which, in his opinion, will be suitable; still the task of submitting a detailed report in support of his views is taken off his hands here. In Guzerat, then, under existing arrangements, the settlement officer relieves the Superintendent of writing yearly a report or two, proposing rates for the assessment of districts measured and classified.

He, moreover, undertakes chiefly the application in detail of the sanctioned rates and the preparation of papers necessary at the introduction of the revised assessment. It might probably appear presumptuous in me to express an opinion not called for, on the advisability of maintaining both appointments as at present; still that the very delicate duty of fixing the new rates should be performed by an officer possessed of the largest local experience, and otherwise most competent for the task, is of course of the greastest moment, particularly in a province like Guzerat, where the nature of land tenures is so much more various and complicated than elsewhere, and where it requires a considerable amount of study and aptitude too for mastering such details, before so intimate an acquaintance with all particulars can be acquired as should be possessed by an assessing officer.

505

EXTRACT PARAS. 4, 5, 7 AND 8 OF A LETTER FROM THE SETTLEMENT OFFICER IN GUZERAT TO THE REVENUE COMMISSIONER, NORTHERN DIVISION, No. 57, DATED THE 8TH JUNE 1855.

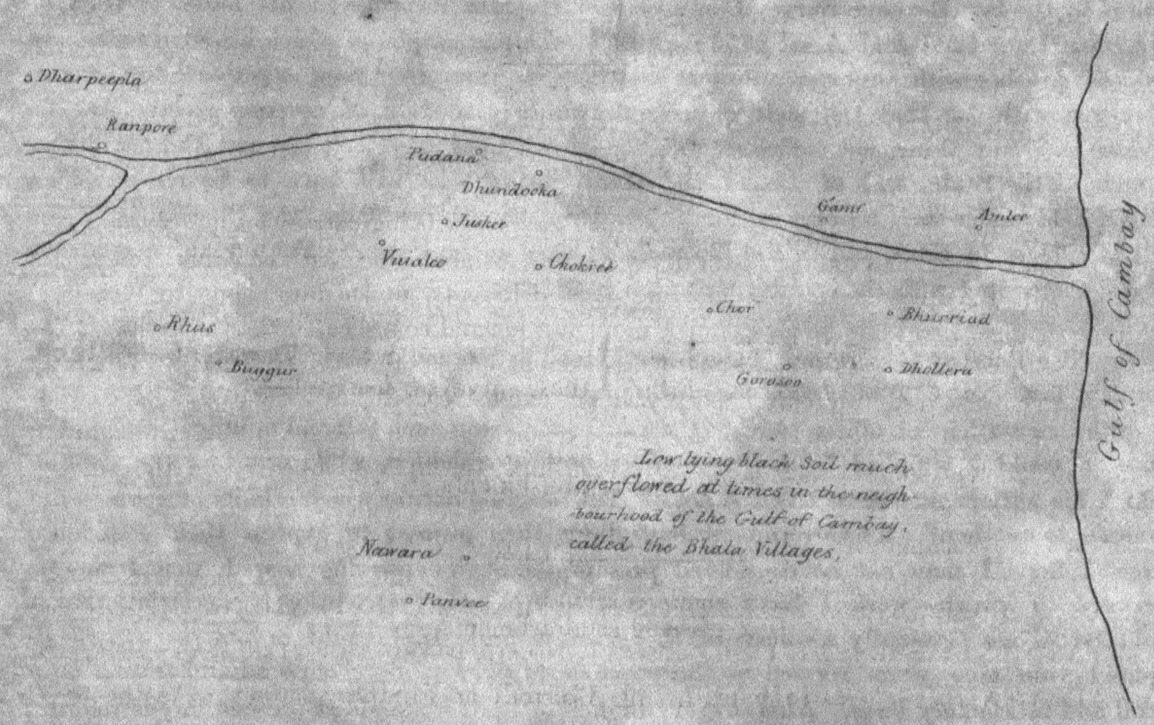
PARA. 4. The duties that were to devolve upon the settlement officer in Guzerat are detailed by the late Revenue Survey Commissioner, Captain Wingate, in his letter to Government, No. 180, dated 2nd April 1853: copies of the paragraphs in which his suggestions are contained are herewith annexed, and I think that you, from your long experience in Guzerat, will agree with me that the picture there drawn of the state of revenue matters in the province is, if any thing, not sufficiently highly coloured. I need only suggest the conflicting interests of the State, and of second and third parties that will have to be reconciled in villages held under such tenures as the Talookdaree, the Merwardaree, the Bhagdaree, in the Mullak villages in Kara, and in the Doomala villages in the Purantej Pergunnah, to convince any one acquainted with the country that such is the case.

5. The Bombay Government have been pleased to remark in their Despatch of the 16th February last, No. 617 of 1855, forwarding my application for an increase of pay, that my duties as settlement officer were "of a nature requiring such full and minute local experience as could be supplied by no new officer however talented, while much of the data on which his settlement will be based is not of that tangible nature which admits of record or of transfer to another." As Government have been thus pleased to express their confidence in me, I hope I may not be considered presumptuous in expressing a wish that I may be permitted to see the work I have commenced completed, conscientiously declaring that it would be to me personally a source of the greatest pride if I could devote the experience acquired from nine years' service in the province to placing its revenue administration on a liberal and satisfactory basis. Almost every branch of it, as it stands at present, needs reform; abuses have crept in on every side through sheer want of that supervision which the inadequate strength of establishments, both European and Native, prevented matters of detail from receiving; and if the whole can be carried out under one eye, expense incurred in re-constituting the establishments in one part of the country may be balanced against saving effected in another, whereas if it were to be done by different parties, the individuals composing the Bombay Government being also liable to constant change, the unity of the system might very probably be lost sight of.

7. It is also my intention to apply for furlough to England for a period of eighteen months in the commencement of next year, after having completed the settlement of the remaining portion of the Dholka Pergunnah; but this I should not have thought of doing, were it not that no

settlement work will be able to be proceeded with during that period from the survey operations not being sufficiently advanced. Classification during the season just expiring has been completed only in the remaining portion of the Dholka Pergunnah, which I propose to assess after the monsoon. The measurement of Jeytulpore will be about half completed during the current season, and the only Pergunnah in which it would be practicable in the season after next, that of 1856-57, to assess the Khalsa portion, would be Dhundooka; but there are grave objections to attempting this, as I will now show.

8. The area of the whole Pergunnah, calculated from "Asra" or estimated beegahs, is about 1,350 square miles, about equal to the whole of the Surat Collectorate. As this is the nearest approximation, the district never having been surveyed, a better idea of the probability of being able to fix a fair assessment for the whole, on the imperfect data we shall be able to collect by the end of next season, will be conveyed by my informing you that, of the whole 190 villages contained in it, the classification of but 42 will probably be finished. Of almost all of these the returns of cultivation, assessments, and realizations of revenue for former years are very imperfect, and they moreover lie in such scattered positions, that the data of some are not by any means applicable to the rest, as will be seen by the accompanying sketch map.



The Bhata villages lie down the coast scattered to about 12 miles south of Dhollera, from which Dhundooka is about 15 miles, thence Rampore is about 20 miles, and Khas and Buggur from 7 to 10 miles from Rampore. The soil of the central and western portions of the district differs considerably from that of the villages near the Gulf of Cambay. Under these circumstances, if I were to attempt to propose rates of assessment for the whole district before the classification of soils in a far larger portion of it than will have been done before the close of next season was completed, so as to enable me to judge of the probable effects of those rates, I should be working very much in the dark.

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APPENDIX No. 506 to 508

Survey and Settlement of Bombay.

EXTRACT PARAS. 2 AND 4 OF A MEMORANDUM FROM THE REVENUE COMMISSIONER, NORTHERN DIVISION, No. 2257, DATED 18TH JUNE 1855.

PARA. 2. The communications of Government, quoted in paragraphs 3 and 9 of Mr. Rogers letter, have not passed through this department; but the Revenue Commissioner is respectfully of opinion, from the variety and complexity of the assessment and tenures in Guzerat, that a revenue settlement officer is as indispensable as when Captain Wingate recommended the appointment, and will be required until the survey assessment shall have been introduced extensively into Guzerat, and various and difficult questions have been brought forward and decided.

3. He considers that Mr. Rogers could hardly draw up a set of rules for the guidance of a successor, though he might draw up a memorandum of the various points which may have come before him, adding remarks as to the manner in which he would dispose of them, and any information he may consider would be very useful to the officer who may succeed him; but such memorandum would, the Revenue Commissioner apprehends, be very incomplete.

4. The Revenue Commissioner thinks that no material inconvenience would arise from the appointment remaining in abeyance during Mr. Rogers' absence. The progress of the assessment would in a degree be arrested, but, as Mr. Rogers argues, would not be without concomitant advantage.

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EXTRACT PARA. 3 OF GOVERNMENT LETTER TO THE SECRETARY TO THE GOVERNMENT OF INDIA, No. 676, DATED THE 1ST MARCH 1856.

PARA. 3. In the other surveys (except Rutnagherry) now being carried on under this Presidency, the Superintendent performs the duties of assessment officer at the same time that he superintends the measuring and classing establishments under him; but in Guzerat, where the nature of land tenures is so much more various and complicated than elsewhere, the very delicate duty of fixing the new rates of assessment has, as the Government of India are aware,* been entrusted to an officer possessed of extensive local experience and one who is well qualified for the office. Hence the large proportion which the cost of superintendence bears to the amount paid to the executive establishments employed to carry on the survey operations in Guzerat.

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EXTRACT PARAS. 2 AND 3 OF A LETTER FROM THE SUPERINTENDENT REVENUE SURVEY AND ASSESSMENT, GUZERAT, No. 97, DATED THE 24TH MAY 1856, TO THE REVENUE COMMISSIONER, NORTHERN DIVISION.

PARA. 2. It has been estimated† that, exclusive of 491 Talookdaree and Mewassee villages in the Ahmedabad districts, the four Guzerat Collectorates contain 53,00,000 beegahs. The beegahs throughout the province are not however of uniform size, and in some cases we have not measured beegahs at all, but merely estimated areas. The acre, however, may be considered equivalent to one seven-tenth beegahs. This would give nearly 3,200,000 acres as the area of the four Collectorates. Up to the close of the current field season, this department will probably have surveyed in all 1,025,000 acres; but of these some 150,000 represent the areas of attached talookdaree villages surveyed, and which have not been brought into

* See Mr. Officiating Chief Secretary Young's letter, No. 617, dated 12th February 1855.

† Captain Wingate's letter addressed to Mr. Chief Secretary Malet, No. 381, dated 10th October 1851, paras 5 and 6.

account in the aggregate acres of the four Collectorates above considered. Deducting these 150,000, we shall probably, before the monsoon, have accomplished at least 875,000 of the 3,200,000, leaving 2,325,000 to be measured.

3. The quantity of work done during the present season cannot yet be ascertained with accuracy, so it will be advisable to consider the amount of work accomplished during the year 1854-55, with a view to ascertain approximately the number of years required to finish the work that is before us. My last progress report shows that 275,000 acres were measured in the course of 1854-55 by six establishments, of which one of only half strength worked for but the few last weeks of the season. It may very safely be assumed that, if all the establishments had been of full strength, *at least* 300,000 acres would have been measured. In the open country, such as the black plains of Dhundooka, Veerumgaum, parts of Dholka, and of the Broach and Surat Collectorates, a full establishment should perhaps survey about 100,000 to 125,000 acres in the course of a season, whereas in the more difficult districts, one-fifth of this will probably occupy an establishment from the end of one monsoon to the commencement of the ensuing one. This amount of work is considerably below that which an establishment used to get through in the Southern Mahratta country; but it has been considered advisable to sub-divide the lands here, both in the open and in the enclosed country, into very much smaller numbers than was thought necessary in the Dharwar and Belgaum Collectorates. It is evident that the more minute the sub-divisions into which the land is divided, the greater must be the labor and time required for the measurement of a given area. Some of the Ahmedabad Pergunnahs, the majority of those in the Kaira Collectorate, and some of those in Surat, may probably be considered as difficult districts.

(True Extracts)
H. YOUNG,
Chief Secretary to Government.

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No. 1990 OF 1857.
TERRITORIAL DEPARTMENT, REVENUE.

FROM

E. G. FAWCETT, ESQUIRE,
Revenue Commissioner, Northern Division,

To

J. D. INVERARITY, ESQUIRE,
Acting Chief Secretary to Government, Bombay.

Poona Revenue Commissioner's Office, 17th August 1857.

SIR,

As your Memoranda Nos. 2964 and 3057, dated 22nd and 25th June respectively, treat of nearly the same subject, I have the honor to submit my replies to them in one letter.

2. Adverting to Mr. Ricketts' enquiry how contingent charges incurred in the Bombay survey are provided for, I beg to state that no fixed sum is set apart for the purpose. The charges are ordered by the Superintendents themselves, who submit monthly bills for the

same to this department, whose admission is a sufficient authority for the Civil Auditor to pass them. The following is a list of the ordinary items usually charged for :—

Papers of all sorts.
Gum.
Sealing wax.
Thread and needle.
Oil for lights.
Blank books.
Cloths for records, mounting.
Maps and signals.
Bamboos for signals.
Dead stock articles, such as chairs, tables, &c.
Repairing surveying instruments and other articles belonging to the office.
Carriage of records, surveying instruments, &c.
Expenditure connected with the preparation of lithographic printing ink, &c. for presses.
Drawing materials.
Pencils.
Sand.
Chunam for marking the position of boundary marks.
Reeds for native pens, &c. &c.

I do not think a limit advisable ; the amounts required vary considerably ; new expenses are incurred particularly when a new establishment is constructed. The check by this department seems sufficient, and in the details required to be given in the progress reports each Superintendent is eager to show a minimum cost.

3. The average monthly expenditure of each of the three surveys in my division, *viz.* Guzerat, Khandeish and Tannah* (the latter includes a portion of Poonah), amounts to between three and four hundred rupees. Each of these surveys consists of—

Guzerat	...	9 measuring and 3 classing establishments,
Khandeish	...	6 measuring and 2 classing establishments,
Tannah	...	8 measuring and 2 classing establishments.

And each of these is superintended by an Assistant or European surveyor, so that the proportion falling upon one establishment on an average is not likely to exceed Rupees 50 per month, which appears to me a very moderate cost. Office rent and repairs to tents, all are supplied by the officers themselves, for which purpose they receive an allowance of Rupees 75 per month. This item seems to be included in the Bengal contingent allowance of Rupees 200, adding this allowance of Rupees 75 to the average of bills. The expense of the Bombay survey in this respect appears to be less than that of Bengal by Rupees 75 per month, unless there may be some difference in the constitution of the Bengal surveys, which would render the above contrast inapplicable.

* *N. B.*—Nuggur has since been placed under the control of the Superintendent Tannah survey.

APPENDIX No. 509

Survey and Settlement of Bombay.

4. With reference to Mr. Ricketts' enquiry about the Superintendents' travelling allowance of Rupees 300 per mensem, I beg to oberve that the records * of the Secretariat are in a better position than those of this department to supply the required information; my own opinion is, that the importance of the duties involved, and the necessities for experienced officers to conduct the superintendence of a survey, render any reduction of the emoluments of the office unadvisable. I beg, however, to subjoin for the information of Government extracts from the reports of the several Superintendents on the subject :—

"2. † The allowance of Rupees 300 per month is a personal allowance, intended to cover "the travelling expense of the Superintendent and is drawn throughout the year. It has no "connection with the contingent charges of the survey, which are separately admitted in "contingent bills."

"3. ‡ The travelling allowance of Rupees 300 to Superintendents of Revenue Surveys was "granted in April 1846, and, unless I am mistaken, not intended to cover any specific expenses "or charges, but to bring the Superintendents' pay up to an amount, in some measure, "commensurate to the important duties and works to be performed. If reference were made "to the records of the Ahmednuggur survey, the original correspondence will there be found. "This amount ought, properly speaking, to be included in the consolidated pay of the "Superintendent, and not shown, as at present, as an item under a special denomination. The "actual pay of a Superintendent of Survey under the present circumstances is but "Rupees 100 more than that of his Assistant, with an additional allowance as an "Assistant Collector of Rupees 100. As far as I am myself concerned, I have been so "long sensible of the injustice and hardship attending the seizure of carts from ryots and "others for the purpose of carriage, that I have for years past kept up an entire and perma-"nent travelling establishment; so that my expenses on this head are pretty much the same all "the year through. Against the expenses I place the sum received under travelling allowances. "The allowance of Rupees 75 is, I conceive, intended to cover the expenses and tear and wear "of tents, house rent, &c."

"2. § Mr. Ricketts requests to be informed (para. 1 of his letter No. 1075) what expenses "the travelling allowance of Rupees 300 drawn by Superintendents of Survey is expected to "cover, and specifies the different charges which are defrayed from the contingent allowance "of Rupees 200 granted to surveyors in Bengal.

"3. None of the charges, Mr. Ricketts enumerates, are defrayed from this allowance, "which was granted partly perhaps to cover the expenses of keeping up carriage for travelling "when in the districts, but more particularly as an increase to the Superintendent's salary, "which, as originally fixed at Rupees 700, was—I believe I am correct in saying—considered so "small with reference to the work and responsibility, that Captain Wingate, on his return from "furlough in 1844-45, declined to accept at first the appointment of Superintendent of the "Dharwar Survey."

* The papers forwarded to Mr. Ricketts with the Government letter from the Revenue Department, No. 3378, dated the 20th July 1857, contain information on this subject. See also the accompanying copy of a letter from Captain Anderson, Superintendent of the Southern Mahratta country, Revenue Survey, No. 249, dated the 19th July 1857.

† Superintendent Guzerat Survey's letter No. 176, dated 4th July 1857, para. 2.

‡ Superintendent Khandeish Survey's letter No. 172, dated 21st July 1857, para. 3.

§ Superintendent Tannah Survey's letter No. 309, dated 29th June 1857, paras. 2 and 3.

APPENDIX No. 509

Survey and Settlement of Bombay.

5. As regards paragraph 2 of Mr. Ricketts' letter No. 1055, I beg to subjoin extracts from the reports of the several Superintendents, and to refer to paragraph 12 of my letter* No. 1991 of this date :—

"3. † The subject of the 2nd paragraph of Mr Ricketts' letter No. 1055 of 1857 has "already been once or twice commented on by this office. I would beg, however, to "state that there appears to me no difficulty whatever in placing the entire *professional* "part of the surveys under the control of one officer, who would correspond direct with "Government, all matters connected with settlement and alienation being forwarded as at "present to the Revenue Commissioner for alienations respectively. The advantage would "be great of having an officer who would overlook the professional part of the Bombay "surveys, and thereby permit the attention of the Revenue Commissioners to be more "particularly given to the settlement and revenue portions. The system by which land "has been divided in Guzerat, as noticed in Mr. Rogers' letter "marginally noted, and which has of course enhanced the "expense of the survey, would have received an early "check, had the yearly progress reports and other purely professional documents been sub-"mitted for the opinion of a consulting officer.

"No. 64 of 1857, dated 3rd June, "para. 2."

"4. It would not be desirable at the present time to separate the functions of Settlement "Officer and Survey Superintendent in the Bombay Presidency. The present Superintendents "have had many years' experience of their duties, and Government is, I believe, satisfied with "the way in which they are discharged. It would be many years before a Settlement Officer "could expect to equal the present Superintendents in knowledge of the subject, and the "arrangement would be attended with extra expense on account of the settlement office, as "well as with great delay; as however perfect might be the understanding between the survey "and settlement office, it is hardly to be expected that the work should progress with equal "rapidity as when both duties were discharged by the same officer. When the surveyors "have not sufficient experience of revenue matters, it is to be presumed that the "arrangement contemplated in Mr. Ricketts' concluding paragraph for Madras would be the "only feasible one."

"4. ‡ As regards the classification and assessment being under the control of more than "one officer, it should be explained that the control of both is virtually under the Superin-"tendent, who exercises more supervision over the former operations than perhaps Mr. "Ricketts is aware of. There are but two classification establishments in any of our surveys. "To preserve uniformity in their work, the officers and men of both are brought together "once at least every year and taken out into the field, where their standards of valuation are "tested and any irregularities adjusted. The Superintendent (I can speak for myself) goes out "every season for several days with each assistant, and with his practical knowledge of the sys-"tem can judge whether the two are working upon the same standard. I consider, therefore, "that, with a supervision exercised in this manner by an officer practically acquainted with the "details of the system as our Superintendents are, no inconvenience is experienced from hav-"ing two distinct officers in immediate charge of these operations. The assessment operations "are entirely under the Superintendent's charge.

* Copy forwarded to Mr. Ricketts, with the Government letter from the Revenue Department, dated this date, No. 3598.—J. D. INVERARITY, *Acting Chief Secretary to Government, 25th August* 1857.

† Superintendent Guzerat Survey's letter No. 188, dated 10th July 1857, paras. 3 and 4.

‡ Superintendent Tannah Survey's letter No. 308, dated 29th June 1857, paras. 4 and 5.

"5. I question the advisability of separating the survey and settlement operations in "the manner said to be in contemplation in Madras. I think it was shown by Captain "Wingate's proceedings, when filling the appointment of Survey Commissioner, in which the "duties of these two officers were combined, that a very efficient supervision over both could be "maintained when the two offices were combined. The charge of the survey operations "alone, under our system, would not furnish sufficient employment for an officer; settlement "duties are the heavy and responsible work in a Superintendent's office, and three-fourths of his "time at least is occupied in the supervision of their details. There would not therefore, in my "opinion, be work for a Surveyor General and Settlement Officer having charge over the respec-"tive branches of the several surveys of our Presidency, but full employment for one officer "vested with the control of both duties; and as in the general supervision it is desirable to com-"bine the two offices, so likewise is it desirable to carry out the same principle in the consti-"tution of the Superintendent's office, to continue him in fact as Superintendent of the settle-"ment and survey, controlled by the General Superintendent or Commissioner for all the sur-"veys of the Presidency."

"4. * It may not be necessary for me to offer any remarks on the subject referred to in "paragraphs 2nd and 3rd of Mr. Ricketts' letter No. 1055, dated 12th June 1857. I would "however respectfully state that, although in Bengal the professional operations may have been "well conducted under a department apart from that of the settlement or classification, I con-"sider in districts where the settlement involves no particular local knowledge beyond that "attainable by the officer conducting the survey operations, that the advantages a survey officer "would hold over one acquainted in this branch is unquestionable. So essential do I consider a "knowledge of surveying in a classer, that I attempt to teach no man classing who is not a "thorough measurer, although I do not always convert the best measures into classers, for this "reason that a first-rate measurer might be an indifferent classer; but one of the essential quali-"fications in a classer is a perfect knowledge of measuring to enable him to detect and correct "errors in the measurements which have preceded his duty of classification.

"5. I have already mentioned in my letter to the address of the Collector of Khandeish, "with reference to the information required by Mr. Commissioner Ricketts on the mode "of conducting the survey operations in this Presidency, that one system prevails generally "throughout the several survey departments; and although the system detailed in the Joint "Report presents broad rules as a basis for the conduct of our operations and of the classifica-"tion in particular, yet it is necessary to deviate from these rules in some measure, as peculiarities "of climate and the natural features of the country vary. As an instance, I have merely to "refer you to the system in force on the Tannah Survey, where rice cultivation predominates, "and that applied to a champaign dry crop country; and again, there is even a less marked "difference between the classification applied to the soils of the Ahmednuggur Collectorate and "those now in force here. I had the honor to notice the change I found it necessary to adopt "in my standard for the soils of Khandeish in my report to your address, No. 135, dated 11th "September 1854; this alteration had reference to the northern portion of this province to "which our classing operations have as yet been confined. It may be necessary that I should "revert to the original standard I applied to the soils of Ahmednuggur, where I conducted "these operations for a period of eight years, when I extend the classification to our southern "districts, which assimilate in climate, crops, and soils to those of contiguous districts on "the northern portion of Ahmednuggur. I have alluded to these matters to show that,

* Superintendent Khandeish Survey's letter No. 172, dated 21st July 1857, parts. 4 and 5.

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"even were the classification and settlement conducted under one officer, he would have to "alter his system according as circumstances required it."

I have the honor to be, &c.,
(Signed) E. G. FAWCETT,
Revenue Commissioner, Northern Division.

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No. 249 OF 1857.

FROM

CAPTAIN W. C. ANDERSON,
Superintendent Revenue Survey and Assessment, Southern Mahratta Country,

To

H. W. REEVES, ESQUIRE,
Revenue Commissioner, Southern Division.

Superintendent's Office, Dharwar, 19th July 1857.

SIR,

I HAVE the honor to acknowledge the receipt of the correspondence noted in the margin, and forward herewith the report called for.

Letter from Mr. Ricketts, Commissioner for the Revision of Salaries and Establishments, No. 1057, dated 25th June, and Memorandum from Acting Chief Secretary to Government, No. 3056 of 1857.

2. The sum of Rupees (300) three hundred per mensem, drawn by Superintendents of Survey under the denomination of travelling allowance, was granted by the Hon'ble the Court of Directors in 1846,* in consequence of the admitted insufficiency of the emoluments of the Superintendents of Survey. The opinion of Government regarding this portion of the salary of Superintendents of Survey has been expressed in the following terms :—"It is evident from the correspondence which passed with the Hon'ble "Court on the subject, that the monthly allowance of Rupees 300 was granted to the Super-"intendents of Revenue Survey with a view of increasing their former pay and allowances, "and not, as the ordinary deputation allowance of Rupees 10 per diem, granted to cover travelling "expenses."

3. Tent equipage for their own use and for that of their establishments is provided and carried both by the Superintendents and their Assistants, each providing for his own separate establishment; the Assistants provide also their own office accommodation in the rains. For the Superintendent, and as the central depository of records, stores, &c., an office at the head-quarters station of each survey is provided by Government. All the other charges enumerated by Mr. Ricketts are provided for in monthly contingent bills. Mr. Ricketts states that a monthly alllowance of Rupees 200 for each surveyor is allowed in Bengal for contingent expenses.

4. The organization of Revenue Surveys, and the nature of duties performed by them in Bengal, differ materially from the system in Bombay, where the Superintendent performs the duties which in Bengal fall to the settlement officer, as well as general supervision and direction of the assistants to the Superintendent, of whom each assistant in charge of a

* The correspondence on this subject was sent to Mr. Ricketts with the Government letter in the Revenue Department, No. 3378, dated the 20th July 1857.

measuring establishment appears to perform duties very similar, though perhaps somewhat less extensive than those entrusted to a "Revenue Surveyor" in Bengal. In comparing the two systems of providing for contingent expenditure, it will probably be well within the mark if we calculate the Superintendent's establishment—as far as estimation of contingent—as equal to that of a Bengal "Revenue Surveyor," and that of each Assistant as of half that amount. Taking the three years ending 31st October 1856 into the calculation, the average number of separate establishments in the Southern Mahratta country survey during that period has been—

1 Superintendent, which at 200 per mensem gives...	200	0	0
6 Assistant Superintendents, which at 100, ½ the Bengal rate...	600	0	0
	800	0	0

5. The total expenditure on account of contingent expenses for the above three years in the Southern Mahratta country survey has been Rupees 9,048, of which Rupees 4,280-14-9 was for native paper only, against Rupees 28,800, which would have been the expenditure of three years: according to the Bengal system, as above estimated, Rupees 251-5-0 per mensem against Rupees 800. The result is even still favorable to our system as regards expenditure, if the monthly aggregate (Rupees 525) of the Rupees 75 per mensem drawn by the Superintendent and each of the six Assistants above estimated be added to the above average contingent expenditure of Rupees 251-5-0 per mensem, the total being Rupees 776-5-0. This Rupees 75 tentage is moreover, but very partially, liable to expenses which would be met in Bengal from the contingent allowance being granted for the provision and carriage of tent, equipage, &c. for the private use of the survey officers, as well as for that of their establishments.

I have the honor to be, &c.,

(Signed) W. C. ANDERSON,

Superintendent Revenue Survey and Assistant S. M. C.

(True Copies)

J. D. INVERARITY,

Acting Chief Secretary to Government.

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MEMORANDUM ILLUSTRATIVE OF THE PRACTICAL WORKING OF THE LAND CLASSIFICATION AND ASSESSMENT IN THE AHMEDNUGGUR COLLECTORATE OF THE PRESIDENCY OF BOMBAY.

1. It is necessary to premise by giving a few extracts from the official correspondence on the system of revenue survey and assessment in Bombay, and then illustrate the practical working out of the theory therein laid down.

JOINT REPORT, Para. 47 to Para. 49.

47. For the purpose of effecting the classification of a field, the classer, with the aid of the village map, enters an outline of its shape in his field-book, which he divides by intersecting lines into a number of equal compartments, sufficiently numerous to give a fair average valuation of the soil by an examination of its depth and quality in each compartment. These

particulars, and the class into which the soil falls, are noted within each compartment of the classer's sketch of the field, as shown in the following example :—

EAST.

7 $\frac{3}{4}$	4 ⚠ $1\frac{3}{4}$	3 ∞ $1\frac{3}{4}$	1 $1\frac{3}{4}$	2 $1\frac{3}{4}$
6 1	5 1	4 Λ $1\frac{1}{2}$	3 $1\frac{1}{2}$	3 VI $1\frac{3}{4}$

The figure in the left hand lower corner of each square indicates the depth of the soil, and the number of dots under it the order of soils to which it belongs ; one dot signifying the 1st, two the 2nd, and three the 3rd order. The conventional marks in the right upper corner show the faults, each of which degrades the soil one class ; from the order of soil, the depth, and the faults, is determined the class of relative value to which the compartment belongs, as indicated by the figure in the left hand upper corner. To take the instance of the lower compartment on the right of the field, the depth is entered at $1\frac{3}{4}$ cubits, and the soil is of the 1st order, as shown by the single dot immediately below. This order and depth indicate the 1st class of relative value, according to the table ; but the presence of two faults (a mixture of sand and a sloping surface) indicated by the sign VI requires the soil to be entered in the 3rd class, as denoted by the figure 3 in the upper left hand corner of the compartment. It will also be seen from the example, that a particular fault is occasionally entered twice in the same compartment, which means that it exists in so great a degree as to require the value to be lowered two classes in consequence.

48. When the classification of every compartment is completed, the classer enters in his field-book, below the sketch, an abstract, giving the number of compartments or shares of each class, together with their aggregate value in annas, according to the table ; and the sum of these annas, divided by the total number of shares, gives of course the average relative value of the field in the annas of our scale. This abstract for the field, given in the above example, would be entered as follows :—

Class.	*Number of Compartments or Shares.*	*Value of Shares in Annas of the Scale.*
1	1	16
2	1	14
3	3	36
4	2	20
5	1	8
6	1	6
7	1	$4\frac{1}{2}$
	10	$104\frac{1}{2}$
		10-5 average value.

The average value of the field in this case is thus shown to be ten annas and five pies of the classification scale.

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2. A field should be so divided as to have a digging within every three-quarters of an acre, or every acre at the utmost; so that in a field of 40 acres, a classer has to dig from 40 to 53 times to obtain its average value, and an expert and hard-working man will get over from 100 to 150 acres in a day according to the nature of the ground.

3. If it is poor light soil, the crow-bar will strike the rock very quickly and the classification will proceed rapidly, but if it is deep black soil or clay, the classer is kept a long time at every digging, and the operation does not go on so quickly.

4. The officer in charge of the classing establishment tests 5 per cent. of all the fields classed, and he digs in precisely the same way as the classer.

5. The difference between original classification and test should not be more than 3 or 4 pies per field. Should the difference be more than one anna per field, the village is "cast" and every field re-classified.

6. It is thus the classer proceeds to determine practically the average value of the soil of each field; but that value, as determined by him, is merely normal, and upon which the rates of assessment are subsequently determined. Thus the land or soils are divided into nine classes, each class being determined according to the depth of the soil and its intrinsic qualities or productiveness, and upon each of which classes a normal value in annas is fixed. The normal value of the first class soil in all instances and in all districts* is sixteen annas, and the normal value of the remaining eight classes decreases in regular proportion; but that relative normal value for each of the remaining eight classes of soil is different in different districts, according to their climate, &c. For the complete elucidation of this subject, it will also be advisable to state that in each field there may be from one to nine classes of soil, but whatever the number of classes, their average value is found by adding the several proportions of the whole of the classes of soil in each field together and taking their mean.

CLASSIFICATION SCALE, showing the normal value in annas of a Rupee of each class of soil in every surveyed Talooka of the Ahmednuggur Collectorate.

No.	Name of Talooka.	Class 1.	Class 2.	Class 3.	Class 4.	Class 5.	Class 6.	Class 7.	Class 8.	Class 9.
1	Chandore	16	13	10½	8	6	4½	3	2	1½
2	Wundindooree	16	13	10½	8	6	4½	3	2	1½
3	Sinnur	16	13	10½	8	6	4½	3	2	1½
4	Nassick	16	13½	11	9	7	5½	4	3	2
5	Patoda	16	13½	11	9	7	5½	4	3	2
6	Sungumneir	16	13½	11	9	7	5½	4	3	2
7	Ankola	16	14	12	11	10	8	6	5	3
8	Rahooree	16	13½	11	9	7	5½	4	3	2
9	Nowusseh	16	13½	11	9	7	5½	4	3	2
10	Kurdah	16	13½	11	9	7	5½	4	3	2
11	Nuggur	16	13½	11	9	7	5½	4	3	2
12	Kortoo...	16	13½	11	9	7	5½	4	3	2
13	Sheogaon...	16	13½	11	9	7	5½	4	3	2
14	Jamkheir	16	13½	11	9	7	5½	4	3	2

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7. After having found the normal average value of the soil of each field in annas, it still remains to fix the amount of assessment per acre on each field, and this assessment of course varies according to the climate of the districts, the number of market towns in it, its proximity to a large depôt or export town, and the facility of transport to the market towns within the district, or to the neighbouring depôts or export towns without it. The rates of assessment per acre for the same class of soil may also vary in different parts of the same district, according to local circumstances, as above detailed. Thus one part of the district may be more favorably situated than another, both as to climate, proximity to markets, &c.; and in considering the whole circumstances of a district, it is frequently found necessary to divide it into two or more groups of villages according to their several natural advantages.

8. The district having been so divided, say into three groups of villages, it remains to determine the relative value of these groups according to their capabilities of bearing a greater or less assessment. Let it then be supposed that the capabilities of these three groups vary in the proportion of one-fourth to each other, (which however is perhaps too great and is merely here adduced for the facility of illustration), that is, that the first group is capable of bearing a higher assessment by one-fourth than the second and the second than the third; it then remains to be determined what the highest rate of assessment for a field of the first class soil in the first class group shall be. Let this highest rate for the first class villages be two rupees, the rate for the second will therefore be one rupee eight annas, and that of the third one rupee two annas, for their first class soils; but as the average value of the soil in a field of course varies, almost from first to the lowest, the rate per acre upon the land of each field will also of course decrease in the proportion of their value in the classification scale. Take for instance two fields out of a village of each group, one of the first class soil and the other of which the average of its soil is of the eighth class, and then, according to the above proportions, the assessment per acre upon the two fields in each group will be as follows:—

Villages.	*Assessment per acre on first class field.*			*Assessment per acre on eighth class field.*		
1st Group	2	0	0	0	6	0
2nd ditto	1	8	0	0	4	6
3rd ditto	1	2	0	0	3	4

9. The above of course merely relates to the method of assessing jerayut or dry crop land, but should the same land be irrigated, it will remain to determine what assessment it should bear according to its supply of water.

10. The Commissioner will gather from the above observations that the practical operation of classification is as follows:—

1st.—The normal value of each field is found by the classer by digging according to prescribed rules.

2nd.—The normal value so found is tested, in every village, by an Assistant Superintendent.

3rd.—The villages of each district are grouped by the Superintendent, who fixes the highest rates for each according to the climate, advantage of markets, &c.

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4th.—The rates are by a simple proportion adapted to the normal classification scale, and are subject to slight deductions in cases where fields are far removed from water or the village, &c., as follows :—

Distances in Miles from Village and drinking Water for Cattle.										Explanation.
Rate per Acre.	¼.	½ to 1¼.	1½ to 1¾.	2 to 2¼.	2½ to 2¾.	3 to 3¼.	3½ to 3¾.	4 to 4¼.	4½ to 5.	
				Annas.						
16.	1.0.6	16.	15.6	15.	14.6	14.	13.6	13.	12.6	Fields within ¼ of a mile of a village are generally valuable, on account of the facility with which they can be manured and the crops carted away. On this account 6 pies per acre are *added* to the rate. A field, distant 4½ or 5 miles from the village, is much less easy of access, and a corresponding reduction per acre, according to the value of the soil, is made as shown in the body of the table.
15.6	1.	15.6	15.	14.6	14.	13.6	13.	12.6	12.	
15.	15.6	15.	14.6	14.	13.6	13.	12.6	12.	11.6	
14.6	15.	14.6	14.	13.6	13.	12.6	12.	11.6	11.	
14.	14.6	14.	13.6	13.	12.6	12.	11.6	11.	10.6	
13.6	14.	13.6	13.	12.6	12.	11.6.	11.	10.6	10.	
13.	13.6	13.	12.6	12.	11.6	11.	10.6	10.	9.6	
12.6	13.	12.6	12.	11.6	11.	11.	10.6	10.	9.6	
12.	12.6	12.	11.6	11.	10.6	10.6	10.	9.6	9.	
11.6	12.	11.6	11.	10.6	10.	10.	9.6	9.	8.6	
11.	11.6	11.	10.6	10.	9.6	9.6	9.	8.6	8.	
10.6	11.	10.6	10.	9.6	9.	9.	8.6	8.	7.6	
10.	10.6	10.	9.6	9.	8.6	8.6	8.	7.6	7.	
9.6	10.	9.6	9.	8.6	8.	8.	7.6	7.	6.6	
9.	9.6	9.	8.6	8.6	8.	7.6	7.6	7.	6.6	
8.6	9.	8.6	8.	8.	7.6	7.	7.	6.6	6.	
8.	8.6	8.	7.6	7.6	7.	6.6	6.6	6.	5.6	
7.6	8.	7.6	7.	7.	6.6	6.	6.	5.6	5.	
7.	7.6	7.	6.6	6.6	6.	5.6	5.6	5.	4.6	
6.6	7.	6.6	6.	6.	5.6	5.	5.	4.6	4.	
6.	6.6	6.	5.6	5.6	5.	4.6	4.6	4.	3.6	
5.6.	5.6	5.6	5.	5.	4.6	4.6	4.	4.	3.6	
5.	5.	5.	4.6	4.6	4.	4.	3.6	3.6	3.	
4.6	4.6	4.6.	4.	4.	3.6	3.6	3.	3.	2.6	
4.	4.	4.	3.6	3.6	3.	3.	2.6	2.6	2.	
3.6	3.6	3.6	3.	3.	2.6	2.6	2.	2.	1.6	
3.	3.	3.	2.6	2.6	2.	2.	1.6	1.6	1.	
2.6	2.6	2.6	2.	2.	1.6	1.6	1.	1.	.6	
2.	2.	2.	1.6	1.6	1.	1.	.6	.6	0	

11. This will be clearly apparent by referring to the statement given below.

12. This statement is a copy of *part* of the original assessment "putruck" of the village of "Chamboordee" and the highest Jerayut rate fixed by the Superintendent is Rupees 1-4.

Column 1 shows the Revenue Survey number or field.
" 2 shows the entire area.
" 3 shows the unculturable portion.
" 4 shows the area to be assessed.
" 5 shows the rate *per acre* as found by the classer from the normal scale.
" 6 shows the assessment according to the normal scale.
" 7 shows the distance of the field from the village.
" 8 the distance the cattle have to go for drinking water.
" 9 any other deteriorating cause.
" 10 the rate per acre fixed by the Superintendent (one-fourth more than that according to the normal scale.)
" 11 the assessment of the field.
" 12 the round sum to be collected.

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Revenue Survey, No. or Field.	Area.		Unculturable.		Area to be assessed.		Rate per acre according to the normal or classification scale.		Assessment according to the classification or normal scale.			Distance in miles from village.	Distance cattle have to go to drink.	Any other deteriorating cause.	Superintendent's rate.		Assessment.			Round sum to be collected.	
	A.	G.	A.	G.	A.	G.	A.	P.	R.	A.	P.				A.	P.	R.	A.	P.	A.	P.
1.	2.		3.		4.		5.		6.			7.	8.	9.	10.		11.			12.	
1	37	12	1	5	36	7	4	5	9	15	9	¼	0	0	5	6	12	7	0	12	8
2	33	32	4	9	29	23	5	5	10	0	2	½	0	0	7	0	12	15	0	13	0
3	36	2	3	14	32	28	4	5	9	0	5	½	0	0	5	6	11	3	10	11	4
4	8	21	0	0	8	21	5	9	3	1	0	¾	0	0	7	0	3	11	8	3	12
5	23	32	0	32	23	0	6	0	8	10	0	¾	0	0	5	0	7	3	0	7	4
6	22	16	0	24	21	32	6	0	8	2	10	¾	0	0	5	0	6	13	0	6	12
7	25	24	0	13	25	11	5	8	8	15	3	¾	0	0	7	0	11	0	11	11	0
8	8	11	0	0	8	11	6	9	3	7	10	1	0	0	8	6	4	6	4	4	8
9	17	35	0	0	17	35	6	3	6	15	9	1	0	0	8	0	8	15	0	9	0
10	24	7	0	25	23	22	3	8	5	6	4	1	0	0	4	6	6	10	0	6	8
10	237	32	11	2	226	30	0	0	73	11	4	0	0	0	0	0	85	5	9	85	8

13. By this elaborate plan the whole assessment is carried on, and there can be little doubt that the relative value of fields is ascertained with very considerable accuracy.

C. J. PRESCOTT, *Lieut.*,

In charge Revenue Survey.

MEMORANDUM.

Land Measure used in the Revenue Survey.

16 annas 1 Goonta.

40 Goontas 1 Acre.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

APPENDIX No. 512

Survey and Settlement of Bombay.

No. 153 OF 1857.

TERRITORIAL DEPARTMENT, REVENUE.

FROM

H. W. REEVES, ESQUIRE,

Revenue Commissioner, Southern Division,

To

H. YOUNG, ESQUIRE,

Officiating Chief Secretary to Government.

Poona Revenue Commissioner's Office, 19th January 1857.

SIR,

WITH reference to your letter No. 113, of 10th instant, I have the honor to reply categorically to the questions put by you on the part of Mr. Ricketts.

Question I.—In how many districts has the survey and assessment been completed and leases for long terms granted?

Answer I.—The annexed Statement supplies this information. The survey rates extend in every instance to a period of thirty years.

Question II.—To what extent is it considered that the labors of a Collector are decreased by the completion of the survey and assessment?

Answer II.—Previous to the introduction of the survey, cultivation was at a very low ebb, owing to high oppressive and unequal rates; much land was everywhere waste; it possessed no value. In such a state of things cultivation had to be encouraged. It was necessary to examine it annually, to guard as much as possible against encroachments on the waste and also against fraudulent cultivation of whole fields. It is notorious that concealment of cultivation was extensive, and that the time of Collectors and their Assistants was much occupied in enquiries into the conduct of the village and district officers.

I have said above "to guard as much as possible against encroachments," for although great show of trouble was made, it is evident that, with the land so cheap and with boundary marks that none but the cultivators knew of, the annual inspections were really a matter of mere form; whole villages could not be annually re-measured, and cases of concealment came to light only when disputes and enmity favored enquiry.

More real trouble arose from the rates which necessitated annual abatement on account of failures of every kind, and here again other inspections were necessary and much trouble in getting up accounts at the Jummabundy ensued. For instance, owing to poverty and other

circumstances, it often occurred that a cultivator failed to cultivate all the land entered against his name: even parts of fields were often left uncultivated or unsown: it was usual to inspect his holding with a view to a consideration of his claim to abatement. Failure of crops, owing to insufficiency of rain, was always allowed for.

The Revenue Survey, on the other hand, has measured the land, registered the measurements, the occupants of each field, and has set up and registered the boundary marks of each. These operations of course struck at the root of frauds in the cultivation.

Inspection is now necessary for the purpose of ascertaining that no land is cultivated without being so entered; but this is no longer a mere form, it takes time, but is done easily and efficiently. Land being now very moderately assessed has become valuable, and the demand for it is in most districts so brisk that the ryots themselves constitute a sufficient check against the fraudulent appropriation of land.

Remissions are not now allowed, except in urgent cases: a man must pay for his field, failure or no failure, cultivated or waste, or he must give it up, for if not paid for, it will be sold by Government to somebody else. In the event of general calamitous failure of rain, inspection with a view to remissions is allowed, but it is to be of a general character. Individual and inquisitorial inspection into separate fields and properties is forbidden.

The Collector has now to be very careful that the Survey Rules are carried out, that the holdings are not improperly divided, that boundary marks and village boundaries are preserved, that the grazing of waste lands is annually sold, and he has constantly to settle questions of possession of occupancies, which, owing to the increasing value of land, are numerous.

Thus while on the one hand the revenue has been well settled and secured by the survey, the preservation of the new order of things and the settlement of disputes on the subject of occupancies are new and onerous duties.

I am of opinion that the labors of the Collector are not decreased by the completion of the survey settlement.

Question III.—In districts where the survey has not been introduced, or is only now progressing, is the revenue assessment yearly revised? If it is, at what period of the year is the revision conducted, and by what agency? Are now engagements actually taken each year from each individual cultivator?

Answer III.—1*st.* As regards the Deccan and Southern Mahratta country, the settlement is not yearly revised. It never was; new engagements are not actually taken annually from each individual. The person in possession of a field one year was always supposed to be the possessor the next, unless he passed a Razeenama, giving it up at the proper time.

2*nd.* As regards Rutnagherry. Here there is no annual revision of the settlement, yet engagements are actually taken annually either for the revenue of whole villages from "Khotes," and the Khotee tenure is by far the more prevalent, or for that of the separate possessions which make up villages, *i. e.* from Dharekurrees, each possession (not each field) being called a "Dhara." In the case of both Khotes and Dharekurrees, the revenue is fixed.

Question IV.—In districts under survey is the assessment determined by the survey officers without the intervention of the Collector? Are the labors of the Collector increased or decreased during the progress of the survey?

Answer IV.—The survey officers fix the rates independently of the Collector, but they have to refer to the Collector for his opinion before proposing them for adoption.

The duties of the Collector are somewhat increased during the progress of the survey; sometimes he has a good deal of trouble, sometimes not much. But the Mamlidars of Talookas in which the survey is going on have a very heavy addition to their labors, and in this the Assistants share to some extent. The Mamlidars have the duty of marking off the fields, of seeing the boundary marks set up, and of preparing the survey accounts the first year of the survey. They also have to supply the survey officers with all kinds of information regarding the cultivation and former assessment, and to assist him generally in every possible manner.

Question V.—Some Collectors, in their returns, make mention of gross revenue, *i. e.* include *alienated* revenue in the land revenue of the district. Has the Collector any responsibility connected with this alienated revenue? If he has, what is the nature of the responsibility?

Answer V.—All the Collectors of the Southern division show alienations in Statement A. accompanying their annual Revenue Reports. The chief concern of Collectors in alienated revenues is in keeping accounts of them and paying them. In the village accounts alienated lands are shown individually. In the Talooka accounts they are shown per village or "Mouzewar" under the same head. In the Collector's

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accounts, they are shown Talookwar under the same head.

Disputes between the Inamdar or alienee and his tenants, for the rent of the current year, come before the Collector, who may assist the former in realizing his rent, if, on enquiry, he thinks proper.

Encroachments of alienees on the Government lands have to be guarded against.

The death of alienees has to be watched for the purpose of guarding against unauthorized continuance of alienated revenue.

Collectors have frequently to take charge of alienated villages and lands.

I have the honor to be, &c.,
(Signed) H. W REEVES,
Revenue Commissioner, S. D.

LIST of Districts in the Collectorates of Southern Division into which the revised Survey and Assessment have been introduced.

Collectorates.	Number of Districts.	Number into which Survey has been introduced.	When introduced.
Poona	8 in all .	All, a few recently lapsed villages excepted.	Survey first commenced in 1836-37, and has only just been completed.
Ahmednuggur ...	15 in all	All, ditto ditto.	Survey originally commenced in 1840-41, and is now completed, with the exception of a few lapsed villages. The question of surveying the extensive Jagheers of His Highness Scindia is still unsettled.
Sholapoor..	9 in all	All, a few villages of recent lapse excepted.	Survey commenced in 1839-40 and was completed in 1845-46.
Rutnagherry	5 .	Survey just commenced, but owing to difficulty in respect to the Khotee tenure it has been stopped.	
Belgaon	11 Talookas... .	All, with the exception of some lapsed villages.	Commenced in 1848-49, and just completed.
Dharwar	8 Talookas	All, ditto ditto.	Survey commenced in 1843-44, completed in 1850-51.
Sattara	11 Talookas	Introduced into one Talooka and a few villages of another. In progress in three others.	Commenced in 1854-55.

(Signed) H. W REEVES,
Revenue Commissioner, S. D.

(True Copies)
H. YOUNG,
Officiating Chief Secretary to Government.

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APPENDIX No. 515

Survey and Settlement of Bombay.

MEMORANDUM A.

No. 2039 OF 1857.

Poona, Revenue Commissioner's Office, 24th June 1857.

MR. RICKETTS' LETTER NO. 793, DATED BOMBAY, 19TH FEBRUARY 1857.

Answer to para. 2.

1. THE state of the Revenue Survey in the Southern Division is as follows :—

Dharwar, Belgaon, Sholapoor, Ahmednuggur, and Poona.

Completed entirely as regards the whole of the work originally undertaken. A few lapsed villages in each are being surveyed by detachments of Carcoons. In Ahmednuggur alone has an Assistant been separately kept up for the superintendence of this work. The Dharwar, Belgaon, and Sholapoor villages are surveyed by the Superintendent of Revenue Survey, Sattara and Southern Mahratta Country; those of Poona by the Superintendent of Revenue Survey, Tanna.

Sattara.

Beejapoor Talooka, and greater part of the Punderpoor Talooka, finished. Measurement has advanced over Jadlee, Khanapoor, and Khuttao Talookas.

Rutnagherry.

Commenced in 1851-52, stopped under Government orders dated 23rd April 1857; all establishments, except what is necessary for winding up the work and closing the accounts, have been dispensed with.

2. The work in Ahmednuggur, Poona, and Sholapoor, now in hand, will, I believe, be completed forthwith, if it has not already been brought to a close; but owing to the railways, numerous fields have to be re-measured and re-assessed in those Collectorates. This work, though distinct from that originally undertaken, must be performed by the survey; and I do not think it will be finished under a year.

3. In Belgaon and Dharwar, the work in hand may be completed in the course of a few months.

4. In all the above-named Collectorates, the survey could be brought to a close at once if there were no establishments at hand to survey lapsed and resumed villages conveniently; but so long as these lapses continue, and the means are available for their survey, the work of surveying should go on as at present.

5. Sattara will yet occupy six or seven years; most of this information has already once been supplied by me to Mr. Ricketts, in a statement accompanying a long letter, dated January 19th last, No. 153.*

* *Vide* letter from the Officiating Chief Secretary to Government, Bombay, to Mr. Ricketts, No. 253, dated 23rd January 1857.

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6. The standing orders and rules for the conduct of the survey and assessment formed the subject of an order issued to me by Government, through Mr. Secretary Hart, under date June 25th 1855, No. 2669. I can do no better than refer Government to my reply* of July 3rd following, No. 1877 of 1855, and suggest that a copy of Captain Francis's memorandum accompanying that reply, together with copies of the various printed compilations mentioned by Captain Francis and myself, be forwarded to Mr. Ricketts; adding also a copy of Captain Wingate's letter to the Chief Secretary to Government, No. 390, of 22nd June 1853, printed and circulated by Government. It has, I may observe, been, until recently, the policy of the Bombay Government (which has worked well in my opinion) to make as few rules as possible for the guidance of the survey and to rely chiefly on the ability and tact of the Superintendents.

Answer to para. 3.

7. I append a statement,† in which are detailed the cost of measurement and classification, and cost of both operations, for every year of survey, in the Collectorates of

Dharwar, Belgaon, and Sattara.	Combined.
Ahmednuggur, Poona, and Rutnagherry.	Separately,

in as complete a manner as my records will admit of.

8. Isolated tracts, under peculiar circumstances, may cost as much as Mr. Ricketts states, *exempli grâtiâ* Rutnagherry; but my district above the Ghâts I think to be surveyed for 5 annas an acre at the very outside, while even in Rutnagherry the high rate was owing to inexperience, and came down to 8 annas 2¾ pies, and 6 annas 5¼ pies, in 1854-55 and 1855-56. In Dharwar there is a good deal of rice land, yet in no simple Talooka did the cost per acre rise above 4 annas.

9. Plain tracts can be done for 2 annas an acre, or less.

10. The Guzerat establishments are, I believe, very expensive, and this, if Mr. Ricketts' figures have been obtained from calculations including them, may account for the high cost per acre which he quotes.

11. It ought not to be forgotten that the cost per acre comprises survey, classification, and settlement, the last of which operation includes a good deal of work not strictly belonging to it, namely, settlement of remuneration of village officers, settlement of boundary disputes, many questions connected with the Alienation Committee.

Answer to para. 4.

12. The account here given by Mr. Ricketts of the disposal of the Reports sent in by the Superintendents of Revenue Survey is correct. I refer to any of the printed Reports of Captain Wingate, and particularly to the Appendix No. 1 in the Printed Report, for evidence, that it

* *Vide* Appendices G. to P.

† *Vide* Appendix A. to this Report.

does not need professional skill,* though it certainly requires a knowledge of survey and revenue details, to understand the Reports of our Superintendents of Revenue Survey.

13. Government are aware that Progress Reports are *annually* made. One of these, or at any rate the statements forming the accompaniments† to it, might be sent to Mr. Ricketts for his information. It will be seen that the Progress Report shows the number and strength of the measuring and classing establishments employed during the year; number of working days; number of villages, acres, fields measured and classified; number tested; difference between test and original work; cost per acre of measurement; ditto of classification and cost of both operations. The in-door work during the monsoon is also shown and the expenses are detailed.

14. Another Report is supplied so soon as the Talooka, or portion of it undertaken, is entirely completed. This contains an account of the past management of the Talookas or villages reported on; their realizations; average rates of assessment; fluctuations in the revenue; present condition: every characteristic of past and present condition, calculated to illustrate the operation of the present assessment, is required in this Report. Conclusions are drawn in favor of or against the existing state of things, and the new rates are proposed. The progress of the survey, and a description of the measurement and classification, are subjects described in this Report also, though in a less detailed manner than in the Progress Report.

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MR. RICKETTS' LETTER NO. 911, DATED MADRAS, 11TH APRIL 1857.

Answer to para. 1.

15. Mr. Ricketts should be referred to the Joint Report,‡ paras. 13 to 26.

16. The only difference in the present system, and that first actually *carried out in practice*, consists in the superior system of field boundary marks; until 1846, there was no legal provision for the erection and preservation of field boundaries. The system of field boundary marks has nowhere been departed from; it works very satisfactorily. I would refer Mr. Ricketts to the Joint Report§ again, paragraph 84, and also to the boundary marks, rules, and letters noted in the margin, for full and detailed information under this head. It will be seen that by Rules 4 and 10 the ryots are allowed to hedge their fields if they please. I have recently issued orders, prohibiting the use of the prickly pear or *(bakree neeroong)* cactus, and pointed out that the euphorbium (or *sabree neeroong*), and varieties of the same kind of bush, as well as trees, may be made use of in lieu of the earthen mounds, provided the prescribed space, 3 to 4½ feet, be invariably left unploughed between the fields.

|| Dated 20th August 1852; also letters from Captain Wingate, No. 17 of 1853, to Government, January 8th.

¶ Ditto ditto ditto, No. 38 of 1853, January 15th; from Government to Captain Wingate, No. 512 of 1853, January 27th.

* Letter from Mr. Goldsmid and Captain Wingate, dated October 17th 1840, to Mr. Vibart, of general remarks.

† Ten statements, which accompanied the Khandeish Survey Progress Report for 1854-55, herewith accompany—*vide* Appendix Q.

‡ *Vide* Printed Compilation, Appendix I.

§ Vide Printed Compilation, Appendix I.

|| This is not sent, as it is merely a letter from Government, forwarding the rules entered in the accompanying list as Appendix K.

¶ Vide Appendices R., S. and T.

Answer to paras. 2 to 5.

17. It is one of the many mistakes regarding "the Bombay system," to suppose that no survey field is permitted under 10 acres. We do not interfere so arbitrarily with property; but it is perfectly true, that if two or more ryots hold a survey field, and one resigns or dies, the other, or others, must agree for the resigned portion, or abandon their own portions also.

18. This rule wears the semblance of harshness, but it is more apparent than real, while, as regards its justice and necessity, there is no room for doubt; for the smallest field contains both good and bad land, and the assessment is calculated on the average of the whole. If parts of fields may be thrown up, a man may select the best patches and regret the worst; it would, moreover, be absolutely necessary for Government, in the absence of the rules, to maintain a *regular* and *permanent* survey establishment, to ascertain *annually* how much of each field was occupied, how much waste, and to re-classify and assess the occupied portion; and, further, as these establishments could not be superintended by European Officers, they would be very inefficiently managed, and the cultivators would certainly be subjected to exaction, corruption, and all the evils of the native system, which we have spent so much labor and treasure in getting rid of. There is, however, no hardship in the rule. The entire absence of complaint fully proves this, and the time of Revenue Officers is taken up chiefly by disputes for the *occupation of land* which is now everywhere rising in value; in many parts of the country fetching a good price, while in some Talookas it cannot be had.

19. We have endeavored to reduce the size of fields as much as possible, as experience has shown the convenience of small-sized fields, which are, of course, more easy of transfer than large ones.

20. The Bombay system may be thus described :—

The survey field, which may vary in area from ½ an acre to 35 acres, is made the most of assessment. It is marked off with boundaries of a very marked and simple kind; and its position is indicated with precision in a map drawn on a large scale of 8 inches to a mile. The assessment is moderate, perhaps nowhere exceeding 20 per cent. of the produce under average husbandry. The assessment is fixed in a lump on the whole survey field, and the cultivator, engaging with Government for the revenue, is required to occupy the whole of a field, the occupancy of a portion of it, except under coparcenary conditions, which Government always respect, not being permitted.

21. Under this system, which is that of individual responsibility, the revenue is realized with great ease, and balances are almost unknown.

Answer to para. 6.

22. With regard to the Rutnagherry Survey, the difficulties are the following.

23. This Collectorate contains two kinds of villages, which it is required to survey.

Khotee Villages,

Dharakurree or Koolargee } Villages.

In the former, the "khote" engages with Government, under an *annual agreement*, for a certain amount of revenue due on the whole village; in the latter, every separate "dharakurree" does the same for his own estate. For an illustration of the khotee tenure, I refer to the accompanying extract,* paragraphs 19 to 39 inclusive, of Captain Wingate's letter to the Revenue Commissioner, No. 44 of 1851, January 30th, and I recommend Government to send Mr. Ricketts the printed compilation containing this extract.

24. The opinion there expressed by Captain Wingate affords the least possible explanation of the khotee tenure, regarding which it seems impossible to come at any thing more satisfactory. The tenure may then be said to consist in an hereditary right to engage with Government for the assessment or revenue of a village, and to manage the village lands; the amount of revenue payable to Government being annually engaged for under a written agreement.

25. The amount payable to Government by the khote is fixed according to the last "pahanee" or survey, and this took place during the Peishwa's Government; but the amount to be realized by the khote from the cultivators is nowhere settled. Hence, although the relation between Government and the khote is well defined, the latter has ever been left, since the commencement of our Government, with a power over the cultivators, that has by degrees grown into absolute despotism. The khote ought not to levy from the cultivator more than the Government assessment,† but owing to misapprehension, fear of interfering with vested rights, negligence on the part of local authorities, and other causes, the khote has been left very much to himself, and has taken full advantage of his opportunities to establish an assessment of his own, which is now called the custom of the country, *viz.* $\frac{1}{2}$, $\frac{1}{3}$, $\frac{1}{4}$, according as the cultivator is an ardhelee (payer of $\frac{1}{2}$ the produce), a theerdhelee (payer of $\frac{1}{3}$), a chowtelee (payer of $\frac{1}{4}$). The local authorities have held that the khote must restrict his demands to these oppressive rates, but in reality he takes a great deal more: there is no limit put to his exactions, except the endurance of the illiterate, poverty-stricken, and enslaved people. He can estimate the crop in his own way, and if the ryot objects, he bullies him until he submits, and in failure of that he worries him until he resigns.

26. This, the grand object in villages held under khootee tenure, is to define the relation between the khote and cultivator, and this can only be done by measuring each field and assessing it to a moderate standard, to which the entire demand for assessment shall be limited—in other words, by Government settling direct with the ryot—allowing the khote, in lieu of his present profits, a per-centage, as in the zemindaree estates of the North-West, or "malikhana," of 10 per cent., and continuing to him his office of manager on the part of Government.

27. The khotes, on the other hand, assert that they are not managers of the revenue on behalf of Government, but that they are absolute proprietors of the soil. That whatever assessment Government may choose to be content with, they cannot be restricted in their demand—they even resist the right of Government to survey and assess the fields at all, without their acquiescence—an absurd claim, which was never listened to by any former Government.

* Vide Appendix C.

† The khote's profit, as originally proposed, was obviously to be realized off the waste lands.

28. Considering that the khotes have never been interfered with in any very decided manner since the commencement of our Government, which, for many years, was unfortunately all in favor of the claims of these men, the Government of Lord Falkland recorded an opinion* that legislation would be necessary to enable the survey to make any progress. Sections 3 and 8 of Regulation XVII. of 1827 have in fact to be got over before Government can deal directly with the ryots.

29. Compulsory labor is claimed from the ryots by the khotes; the former are compelled to cultivate the fields held by the latter, always the best in the villages, and also to carry about their palanquins without remuneration, except a scanty pittance of food.

30. In the dharakurree or koolarjee villages, difficulty arises in settling the relation of the dharakurree and his cultivator. These villages are split up into "*dharas*," or estates, for each of which a separate annual agreement is passed. The Government assessment is paid by the dharakurree, but the cultivators of the dharakurree are quite unprotected, though many of them are entitled to be considered as occupants, owing to length of possession. Again, almost all the "*dharas*" and numerous khotee villages are held by several shareholders; the dharakurrees resist the registration of any of the cultivators as occupants, and any one of them may at any moment object to the settlement. Legislation is necessary to enable Government to effect the necessary reforms here, which cannot be introduced so long as the Sections and Regulation above quoted stand.

31. It has been found that the khotes, in numerous instances, lay claim to the occupancy or ownership of lands which they have really usurped from dharakurrees or from other cultivators: many of these instances are recent: dharakurrees do the same. It is, therefore, necessary not only that permanent occupants should be registered as engaging for the revenue due, but that rightful cultivators should be restored, and the Superintendent of Revenue Survey must be empowered by law to decide who is to engage for the Government revenue. The authority of legislation is necessary for this also.

32. The difficulties to the introduction of the survey into Rutnagherry are thus to be found in the claims of khotes and dharakurrees. The latter are much more ancient than the former, as well as better known and defined. Some of the khotes hold under sunnuds, but the greater number of them have no title-deed to show in defence of their pretensions. It was therefore proposed by me to subject the titles of the khotes to examination by the Inam Committee, and this has been acceded to by Government.

33. A Draft Act† was submitted by Captain Wingate, under date the 5th August 1853, No. 490, under the orders of Government, dated 31st March 1853, No. 1937.‡ A copy of this should, I think, be sent to Mr. Ricketts. Several of the Sections have

* 8th November 1851, No. 10555.

† The Draft Act is now with the Right Hon'ble the Governor; a copy thereof will be forwarded at an early date.—J. D. INVERARITY, *Acting Chief Secretary*

‡ *Vide* Appendix U.

reference to Guzerat, others are of general interest and application; but Sections 11, 12 and 13 to 16 apply directly to Rutnagherry.

Answer to para. 7.

34. The salaries of the survey officers in the Southern Division have been determined with reference to responsibility, labor, and exposure. They are, in my opinion, exceedingly moderate. I should say rather below than above what the very heavy and responsible duties required call for. I gather from the works on the North-West Survey, supplied to this Department, that the Survey there consists in various distinct operations all under separate officers. For instance—

1. Adjustment of boundaries,
2. The survey,
3. The assessment,
4. The record of rights,

are all distinct measures performed by distinct establishments, under officers specially employed for their superintendence.

35. The officer entrusted with the adjustment of boundaries is described in Smyth and Thuillier's Manual, page 516,* as a covenanted civil officer vested with the powers of a Collector, having an efficient and numerous establishment under him, which is detailed and set down at an annual cost of Rupees 16,248; but the salary of the covenanted civil officer is however omitted, and as it cannot be a small item, it is evident that this sum, large as it is, does not nearly represent the entire cost to Government.

36. Then comes the survey, which includes a strictly scientific survey of the villages.

37. After this the khusreh or native field measurement follows, which answers to the Bombay field survey; but this operation seems to be subjected to a test or "purtall" conducted by a separate establishment under the settlement officer. With regard to the "khusreh" portion of the operation, I observe that the Ameens employed are paid by contract,† and that it is admitted that they are very badly paid—that in fact they live on the district in which they are employed. The following startling admission is made regarding them:—

> "An insight into the earnings of Ameens in each season would, however, amply "show that this class of public servants do not depend on the money they receive "from the Government, and, as before remarked, without bribery and corruption "they could not possibly exist."

The rate of payment is stated to be about two rupees for every hundred acres of land under cultivation in Bengal and one rupee for waste, and one rupee per hundred acres of cultivated, and eight annas for waste, in the North-West Provinces. Under such circumstances, it is of course impossible to say what the real cost of the khusreh operations is. In Bombay our principle is entirely different: we pay all our subordinates well; we

* Blue Book—"Return," Revenue Survey India, page 12. † Page 535, Smyth and Thuillier's Manual.

give them as little chance and inducement as possible for bribery and corruption; and we have good reason for believing that, on the whole, our principle is very successful.

38. Then comes the assessment.

39. Lastly, the record of rights.

40. Now, exactly the same steps are followed in Bombay, but the whole of the operations are under the superintendence of *one and the same officer, the Superintendent Revenue Survey and Assessment*, whose duties are thus extensive and responsible, the responsibility and labors of the several officers of Bengal being here centred in him.

41. The salary of the Superintendent, as fixed by Government, under date 10th October* 1853, is as follows :—

Net Military Pay of his rank.

Salary as Superintendent	Rs.	600	0	0
Ditto as Assistant Collector	„	100	0	0
District Travelling Allowance	„	300	0	0
Allowance for Office, Tent and Carriage	„	75	0	0
Total.....	Rs.	1,075	0	0

That of Assistants—

Net Military Pay of his rank.

Salary as Assistant Superintendent in charge of an Establishment	Rs.	500	0	0
Tent, Office, and Carriage Allowance	„	75	0	0
Total.....	Rs.	575	0	0

That of Sub-Assistants—

Salary.....	Rs.	180	0	0
Tent and Carriage Allowance	„	75	0	0
Batta not exceeding 8 months in the year, per diem...	„	1	8	0

After two years' service, his salary is increased to Rupees 250; the other allowances remain the same.

42. Mr. Ricketts appears to consider the Bombay Revenue Survey excessively expensive. It is out of my power to show the real cost of the Surveys in the North-Western Provinces and Bengal. The following is taken from pages 512 and 534, *Smyth and Thuillier's Manual.*

* Page 1709, *Government Gazette* for 1853 *vide* Appendix O.

APPENDIX No. 574

Survey and Settlement of Bombay.

Cost of Scientific Survey. Average Rate per Square Mile in Bengal for Years			*Cost of Khusreh Measurement.* Average Cost of Government for Years				
Season of Survey.	Area completed.	General Average Rate per Square Mile.	Season completed.	Name of District.	Extent in Square Miles.	Average Rate per Square Mile.	
1838-39	1,901	60 0 1	1839	Jynteeah	247·30	29 15 0	To complete the comparison, vide Appendix B.
1839-40	2,450	49 9 4	1841	Balasore	886·54	34 7 2	
1840-41	5,145	23 3 4	1841	Cuttack	1256·59	25 2 2	
1841-42	9,132	22 5 7	1841	Pooree	383·41	30 1 6	
1842-43	6,035	20 13 0	1842	Cachar and Sylhet	234·02	29 11 2	
1843-44	7,079	18 4 4	1841	Tipperah	66·45	48 0 0	
1844-45	7,043	16 10 2	1840	Hidgellee and Tumlook .	525·02	37 1 3	
1845-46	8,967	12 10 8	1843	Behar	562·18	35 5 2	
1846-47	7,429	14 9 2	1842	Patna	1157·35	23 1 9	
1847-48	7,097	18 2 5	1845	Sarun...	1160·00	16 14 8	
1848-49	6,243	21 0 4	1845	Midnapoor	756·75	31 10 9	
1849-50	4,874	25 11 1	1848	Monghyr	843·50	21 7 5	
1850-51	3,565	36 0 6	1848	Purneah...	2494·00	29 7 3	
1851-52	3,826	31 5 0	1848	Shahabad	318·00	19 14 4	
1852-53	4,246	31 0 8	1849	Tirhoot	1679·25	15 10 11	
Total 15	85,032	26 12 1		Area measured by khusreh in 15 completed districts ...	12565·00	28 8 6	
Total average cost of scientific and khusreh measurement per square mile						55 4 7	

To this, however, the cost of two other operations has to be added, adjustment of boundaries and settlement; and it is not to be forgotten that the cost of the khusreh is not fairly shown above, the support of the Ameens being chiefly derived from exactions in the villages where they are employed.

43. I refer now to statement No. 10 of the Progress Report of the Superintendent Revenue Survey, Southern Mahratta Country, for the year ending 31st October 1855, where the following is shown :—

Years.	Total area arable and unarable. Measured. Acres.	Measured. Cost per Acre.	Classified. Acres.	Classified. Cost per Acre.	Cost of both operations per acre.	Total cost of Survey.
1.	2.	3.	4.	5.	6.	7.
Sept. 1841 to 31st Dec. 1842	0	0	0	0	0	49,807
1st Jan. 1843 to 31st Oct. 1844	580,289	0 2 2	282,226	0 1 6	0 3 8	1,06,496
Year ending 31st October 1845	372,715	0 2 7	383,933	0 0 11	0 3 6	84,842
" " 1846	549,581	0 2 7	450,682	0 0 10	0 3 5	1,12,800
" " 1847	569,152	0 2 11	517,730	0 0 9½	0 3 8½	1,30,671
" " 1848	786,025	0 2 1½	468,452	0 0 11	0 3 0½	1,31,824
" " 1849	869,036	0 1 8½	644,831	0 0 8¼	0 2 4¾	1,20,526
" " 1850	1,085,118	0 1 5½	780,254	0 0 7	0 2 0½	1,27,488
" " 1851	718,806	0 2 1¼	816,986	0 0 6½	0 2 7¾	1,22,397
" " 1852	472,357	0 2 7¾	678,682	0 0 7¾	0 3 3½	1,05,550
" " 1853	842,804	0 1 9	615,534	0 0 8¾	0 2 5¾	1,20,987
" " 1854	745,684	0 1 11½	406,351	0 0 11	0 2 10½	1,18,665
" " 1855	665,891	0 1 9¼	715,808	0 0 8½	0 2 5¾	1,05,334
	8,257,458		6,821,469		0 2 11½	14,37,387

To complete the comparison, *vide* Appendix B.

Total average cost of survey, including measurement, classification, settlement of assessment, boundary disputes, registers, maps, &c., per square mile ... } Rs. 118-7-1½

44. The contrast here presented is in its conditions unfavorable to the Bombay Survey; in fact, owing to the incompleteness of the Bengal operations, anything like a fair contrast is out of the question. The number of years and the names of the districts coincide in the Bengal statement; but the khusreh measurement is far behind the scientific, and, as already remarked, the cost of the khusreh cannot be computed, for it is impossible to say what the Ameens realize by exaction and bribery. Two survey operations in fifteen Collectorates of the Bengal Presidency are exhibited against the entire survey of two Collectorates and two Talookas of the Bombay Presidency. The cost per square mile in the former comes out Rupees 55-4-7, in the latter Rupees 118-7-1⅓. The cost per acre in the former is 1 anna 4½ pies, in the latter it is 2 annas 11½ pies. Thus, in the Bengal Survey, the three operations of adjustment of boundaries, the settlement of assessment, and the record of rights, have to be completed at a cost of 1 anna 7 pies per acre; probably they are completed for less, but inasmuch as the khusreh measurements are avowedly performed by agency of a character so untrustworthy, the settlement can hardly deserve to be called satisfactory; and it seems to me that it would have improved the Bengal Survey if more reliable agents had been secured for the khusrehs, even at the hazard of a higher cost per acre.

45. The Bombay work in the

Ahmednuggur,	Belgaon,
Poona,	Dharwar, and
Sholapoor,	Sattara

Collectorates is very good. I have had occasion to inquire into it several times, in consequence of petitions against the *enhancement* of the old rates—a consequence which, you know, is now and then unavoidable in the important duty of equalizing the assessment, and the result has always been conclusive of the goodness of the work. Generally it has been triumphant, and I can call to mind one instance only in which an error was detected and rectified—it was that of four villages of the Sungumneir Talooka, named in the margin, which were by accident placed in the second class of villages for assessment, whereas they should have been placed in the third.*

Dhoope.
Seerusgaum.
Pimpulgaon Motta
Sawurchole.

46. So far as the mere cost per acre goes, I consider the survey in the Southern Division very moderate, but I have to remind Government that there are numerous instances of Talookas, in which the survey has really not cost Government a Rupee; the whole of the outlay having been much more than replaced by increased revenue. On these grounds, I feel confident that the Bombay Revenue Survey has been, in the fullest sense of the term, cheap.

47. I certainly should reply to the question here put in the negative. It is difficult to procure qualified officers, and the exposure and hardship to which officers are subject in the Survey Department are a fruitful cause of ill-health, as a reference to the Reports fully prove. For the last five or six years, I should say that the survey has been extremely unpopular.

Answer to para. 8.

48. I think Mr Ricketts' proposal an excellent one, and consider that Government have great reason for regretting a departure from the arrangement by which Captain Wingate became the head of the Survey Department in this Presidency. I think it desirable and easy to re-introduce this

Answer to para. 9.

* *Vide* Resolution of Government, No. 3305 of 1854, July 12th, and No. 3248 of 1855, July 31. *Vide* Appendices W. and X.

arrangement now, if the salary allowed to the chief of the department be liberal; but I do not consider Rupees 1,000 per mensem sufficiently handsome for an officer where labor and responsibility would be so great; on such terms, the change, in this Presidency at least, would be greatly for the worse in every respect.

(Signed) H. W. REEVES,

Revenue Commissioner, Southern Division.

P. S.—Since completing the above, Captain Francis has furnished the accompanying statement* showing the cost of the Poona and Sholapoor Surveys per acre separately for each year, from the commencement to their close. Captain Francis explains the points respecting which this statement is incomplete in his letter† forwarding it; but as for the reasons given in the statement for Poona, already embodied in Appendix A.,‡ further delay is unadvisable. I hand it on as received for the information of Mr. Ricketts.

(Signed) H. W. REEVES,

Revenue Commissioner, Southern Division.

(True Copy)

J. D. INVERARITY,

Acting Chief Secretary to Government.

515

No. 1991 OF 1857.

FROM

E. G. FAWCETT, ESQUIRE,

Revenue Commissioner, Northern Division,

TO

J. D. INVERARITY, ESQUIRE,

Acting Chief Secretary to Government, Bombay.

Revenue Commissioner's Office, Poona, 17th August 1857.

SIR,

I HAVE now the honor to reply to your letter No. 2036, dated 29th April last, requesting certain information in connection with the Revenue Survey in the Northern Division.

2. Mr. Ricketts appears§ to be under a misapprehension in assuming the Poona and Tanna Surveys as two distinct departments. When the Poona Survey was moved into Tanna, there remained a small portion of work in the former to be completed, and was thus included under the same superintendency as the Tanna Survey,‖ and since June last the Ahmednuggur Survey has also been merged into the Tanna Superintendency. The whole of the Poona and Ahmednuggur Collectorates has been assessed under the revised rates, but the lapse of several villages, since the completion of the work, has rendered necessary the keeping up of a small establishment in each of those districts.

* Appendix E. † No. 305 of 25th June appended. ‡ *Vide* Appendix D.
§ Para. 2nd of Mr. Ricketts' letter, No. 793. ‖ Government Resolution No. 3006, of 23rd June last.

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APPENDIX No. 515

Survey and Settlement of Bombay.

3. I beg to subjoin a statement, showing the progress made by the respective surveys in the Northern Division:—

Collectorates.	Talookas.	Progress of the Survey.		
		Measurement.	Classification.	Settlement.
Ahmedabad	Dholka...	Completed	Completed	Completed.
"	Veerungaum ...	Ditto	Ditto	To be made.
"	Jetulpoor	In progress	In progress	Ditto.
"	Ahmedabad	Ditto	Ditto	Ditto.
"	Dhundooka	Completed	Completed	Ditto.
"	Purantej	In progress	To be made... ...	Ditto.
"	Gogo	Ditto	Ditto	Ditto.
Kaira	Matur	In progress	To be made... ...	To be made.
"	Neriad	Ditto	Ditto	Ditto.
"	Mahoonda	Ditto	Ditto	Ditto.
"	Napar	Not commenced ...	Ditto	Ditto.
"	Borsud...	Ditto	Ditto	Ditto.
"	Thasra...	Ditto	Ditto	Ditto.
"	Kuppurwunj ...	Ditto	Ditto	Ditto.
Broach	Broach	Not commenced.		
"	Unkleshwur ...			
"	Hansote			
"	Wagra			
"	Ahmode			
"	Jumboosur ...			
Surat	Mandvie	Not commenced.		
"	Korsud			
"	Oolpar			
"	Chowrasee ...			
"	Kurode			
"	Walore			
"	Surbhone			
"	Soopa			
"	Parchole			
"	Chicklee			
"	Bulsar			
"	Parnera			
"	Bugwara			
Tanna	Nusrapoor	Completed	Completed	Completed.
"	Panwell	Ditto	Ditto	Ditto.
"	Reodunda	Ditto	Ditto	Ditto.
"	Oondieree	Ditto	Ditto	Not commenced.
"	Rajpooree	Ditto	Not commenced ...	Ditto.
"	Sanksee	Ditto	Ditto	Ditto.
"	Callian	Ditto	Ditto	Ditto.
"	Tulloja	Ditto	Ditto	Ditto.
"	Bhewndy	In progress	Ditto	Ditto.
"	Moorlear	Ditto	Ditto	Ditto.
"	Ryghur	Ditto	Ditto	Ditto.
"	Salsette	Not commenced ...	Ditto	Ditto.
"	Sunjan	Ditto	Ditto	Ditto.
"	Kolwan	Ditto	Ditto	Ditto.
"	Bassein	Ditto	Ditto	Ditto.
"	Mahim	Ditto	Ditto	Ditto.
"	Peynt	Ditto	Ditto	Ditto.

APPENDIX No. 515

Survey and Settlement of Bombay.

Collectorates.	Talookas.	Progress of the Survey.		
		Measurement.	Classification.	Settlement.
Khandeish	Sowda	Completed	Completed	Introduced.
"	Yawul	Ditto	Ditto	Ditto.
"	Chopra	Ditto	Ditto	Ditto.
"	Amulnair	Ditto	Nearly ditto	To be made.
"	Esrundole	Ditto	Not commenced ...	Ditto.
"	Nusseerabad... ...	Ditto	Ditto	Ditto.
"	Nundoonbar... ...	Nearly ditto... ..	Ditto	Ditto.
"	Sooltanpoor	In progress	Ditto	Ditto.
"	Bhurgaom	Ditto	Ditto	Ditto.
"	Jamnair	Commenced... ..	Ditto	Ditto.
"	Dhoolia	Suspended	Ditto	Ditto.
"	Thalnair	Commenced... ...	Ditto	Ditto.
"	Challisgoom	In progress	Ditto	Ditto.
"	Malligaom	Not commenced ...	Ditto	Ditto.
"	Pimpulnair	Ditto	Ditto	Ditto.
"	Baglan	Ditto	Ditto	Ditto.

4. It is expected that the whole of the work connected with the survey and assessment will be completed as follows :—

Guzerat..... Seven years.
Tanna..... Seven or eight years.
Khandeish..... Eight years.

Lapses, however, may of course take place, which will extend the period now calculated.

5. The organization and leading features of the department have been well described in the Revenue Survey Joint Report,* and I beg to suggest that a copy of the printed book be sent to Mr. Ricketts; copies of the rules† for the guidance of the native establishment, and for taking tests by the Superintendents and Assistants, framed in 1855, might also be forwarded.

6. As regards the cost‡ of the survey, I beg to subjoin extracts from the Reports of the officers who have been consulted by me on the subject :—

" The average cost per acre will diminish, as we proceed from the greater experience " of the measurers, enabling them to do more work; and the increase of subordinate estab- " lishments lately sanctioned (and as yet only partly effected), without a corresponding

* These documents were furnished to Mr. Ricketts with the Government letter from the Revenue Department, No. 3265, of the 10th July 1857.—J. D. Inverarity, *Acting Chief Secretary, 25th August* 1857.

† Government Resolution No. 2337, of 31st May 1855.

‡ Mr. Ricketts' para. 3 of No. 793.

" increase in the cost of superintendence, will be seen from the following statement of the " average cost per acre* since we commenced operations :—

	Cost per Acre.		
	Rs.	As.	P.
" A. D. 1851-52	1	2	9·84
" 1852-53	0	13	6·80
" 1853-54	0	7	9·24
" 1854-55	0	8	3·19
" 1855-56	0	6	7·35

" 7. These averages differ from those given in the last paragraph of the Superinten- " dent's letter for the last two years, from the latter being the aggregate of the averages " calculated separately upon the measured acres and the classified acres; and mine being " the averages derived from throwing the whole cost of the Survey Department upon the " whole of the acres measured and classified, Mr. Ricketts' averages will, I fancy, coincide " with mine."

" 5. The cost of the Guzerat Revenue Survey† has been selected by Mr. Ricketts, " I presume, as being the most expensive per square mile of all the surveys. It seems " necessary to offer some explanation of this fact,‡ which otherwise would seem to " impugn the efficiency of the system here in force. As at present organized, the survey is " provided with a Settlement Officer as well as Superintendent, and until lately only con- " sisted of a few establishments: moreover, the enclosed nature of the country in many parts, " sometimes also heavily timbered, as well as the small size of the holdings, are all sources " of delay, and consequently enhanced expense to our operations. It is, however, " certain, that when the survey is increased to its full sanctioned strength of twelve " survey and assessment parties, that the cost per acre of the different operations will be " greatly reduced.

" 6. In para 3§ he alludes to the working cost of the survey, as varying from 11 " annas to 1 Rupee 8 annas per acre in measurement, and from 4 Rupees 9 annas to 1 Rupee " 2 annas in classification. I would point out that the very high rate of working expenses here " quoted refers to years in which one of the Survey Departments commenced its operations " in a new district, when unusual and extraordinary expenses had to be incurred, instru- " ments had to be purchased, and officers and men instructed. Returns for such years " are not fair data for estimating the expense of our operations; the whole period of the " working of a survey since its organization should be taken when describing the cost of " its working expenses."

7. I give below extracts from the Reports of the several officers relative to the size of fields noticed in Mr. Ricketts' paragraphs quoted in the margin.

Paras. 2 to 5 of Mr. Ricketts' letter No. 911.

* Mr. Rogers' Report No. 64, 3rd June 1857, part of para. 6 and para. 7.

† Lieutenant Cowper's (Guzerat Superintendent's) Report No. 118, 30th May 1857, para. 5.

‡ Para. 3.

§ Captain Francis's Report No. 298, 22nd June 1857, para. 6.

"2. Lieutenant Cowper has furnished me in paragraph 11 of his letter* with a list "of the minimum and maximum limits for survey fields that have been fixed for the "guidance of the measurers, in the different districts in Guzerat, that have hitherto been "subjected to the survey operations. You will see that these vary in some instances consi-"derably from the limits originally fixed with Captain Wingate's approval for the "Dholka district. The alterations have been made by the late Superintendent of the "Survey, without any reference to me, which it appears to me should have been made "according to the tenor of the 43rd paragraph of Captain Wingate's letter to Govern-"ment, No. 384, dated 20th October 1851. Some of these limits are, in my opinion, too "low and objectionable, not only on the score of the extra expense their adoption entails "upon the State, but also on that of their tendency to perpetuate the system of small "holdings and pauper cultivators, which I have already brought to the notice of Govern-"ment, as so prejudicial to the true interests of the country. I will bring the subject "to the notice of the present Superintendent, who concurs with me in my opinion "on it, and will concert measures with him to bring the limits for the division of "land into survey fields into strict accordance with the rules laid down in the Joint "Report, to the application of the theory of which, in British Guzerat, there is no "impediment.

"3. With reference to that part of the 4th para. of Mr. Ricketts' letter No. 911 "of 1857, in which that gentleman states his belief that Captain Wingate's original "theory, for the maintenance of survey fields in their integrity, had, for the most "part, been set aside in Guzerat, I beg to inform you that Mr. Ricketts is entirely "under a misapprehension on the subject. The principle of that theory is universally "carried out in our survey,† as sanctioned by Government in their reply (No. 2305, "dated 2nd April 1852) to Captain Wingate's letter No. 71, dated 3rd March 1852, "in the 10th para. of which the subject is alluded to. I have found no difficulty "in maintaining the principle in the administration of the survey settlements in the "Dholka Pergunnah; from the time when the new system was first experimentally "introduced into it, it is distinctly enunciated in the printed Survey Rules furnished to "each village, and is well understood and acted up to by the ryots.

"4. These remarks of course apply only to lands directly assessed to Government "in directly managed villages; alienated lands held by various individuals on different "tenures must necessarily be measured as separate survey numbers, although alienated "land held by the same person, on the same tenure, may be, and is made, subject to the "same rules for division and assessment as Government lands. It may be as well to "explain that the adoption of this principle does not, in any way, interfere with existing "occupancies, as the sub-divisions of survey numbers have the survey assessment of the "whole apportioned upon them at the time of introducing the settlement. If subsequently "to this the holder of one of these sub-divisions chooses to cultivate his own share, not-"withstanding that his co-sharer has thrown up his, he does so with the full knowledge "that he will have to pay for the vacant share.

"5. In villages held on tenures, which preclude the interference of the revenue "authorities in their internal administration, it will not be possible to enforce this system

* Mr. Rogers' letter No. 64, 3rd June 1857, paras. 2 to 5.

† Lieutenant Cowper, the Superintendent of Survey, contradicts this, see para. 10 of his letter.—H. RICKETTS.

" in as far as the sub-tenants of the superior holders, to the latter of whom alone " we look for the fulfilment of the conditions of the tenure are concerned; but even " in such villages the principle of payment for survey fields as wholes will not be " vitiated, as the superior holder will be held responsible for the payment of the " Government demands upon his lands, whether any portion of those lands should be " waste or not.

" 6. In treating of the important subject* mentioned in this para., it is presumed, " that the administrative Officers and Collectors, after the first introduction of the " revised rates at jummabundee, have invariably carried out the Government instructions, " as contained in their sanction of the rules of the Joint Report; and I shall consequently " confine my remarks to that part of the system, whose working has come under my " observation. By the former system, plots of land known as 'old survey numbers,' or " 'book numbers,' were given out for cultivation. Upon the introduction of the new " survey commenced by Captain Wingate, these were found, in many instances, to be need- " lessly small, and it was accordingly determined to constitute the new numbers of a large " size, varying from the quantity of land that could be ploughed by two bullocks to double " this size. The old book numbers, or former revenue system, it must be borne in mind, " forms the basis of the present survey fields, and in no instance is a ryot's tenure broken " by the new arrangement. It is only not allowed for portions of these fields to be taken " for cultivation or thrown up; when the revised assessment is first introduced, it is usual " for the Superintendent to make the jummabundy (in this survey this is done by the " Settlement Officers,) and in this operation the Survey Rules are never departed from. " The maintenance of the survey numbers in their integrity afterwards devolves upon the " Collector's Department.

" 7. As paras. 2 and 3 do not seem to call for any remarks, I shall proceed to " the subject matter of para. 4. The remarks of the Madras " Government are, I think, substantially correct. The present " new survey system has, there is no doubt, been most beneficial, and perhaps intentionally " so to the Government ryots rather than to the holders of alienated lands; but these latter " have also benefitted in the general increase of prosperity. In the survey of alienated lands " in a Government village, the only case which presents any difficulty is, when a plot of " land too large to form into one survey number is held on a tenure, which precludes " Government from making any arbitrary arrangement concerning its interior management. " This difficulty, however, has not been met with in the Southern Mahratta Country, or in " Khandeish. In regard to the extent to which the original theory of Captain Wingate has " been carried out, I would beg to remark that the system is the same on this as on the other " surveys, with one exception, the size of revenue survey numbers having been fixed accord- " ing to the size of holdings and not according to the quantity of land capable of " being ploughed by two or four bullocks."

" Para. 4."

" 11. In regard to the remarks contained in the 2nd para. of your letter, I beg " to transcribe below a table, showing the inferior and superior limits and maximum size " fixed for survey numbers in the different Pergunnahs of Ahmedabad and Khaira, which " have been subjected to our operations.

* Lieutenant Cowper's Report No. 118, 30th May 1857, part of para. 6 and paras. 7, 11 and 12.

APPENDIX No. 575

Survey and Settlement of Bombay.

Zillah.	Pergunnah.	Black.			Goraroo.			Rice.			Remarks.
		Inferior limits.	Superior limits.	Maximum.		*			*		
Ahmedabad.	Jeytulpoor...	1	8	15	1	8	15	1	6	9	
	Vurumgaum.....	5	24	38	2	10	16	1	6	9	
	Dhundooka...	5	20	30	2	12	20	1	6	9	
	Gogo...	5	20	30	2	12	20	1	6	9	
	Duskroee..... ...	2	12	20	2	12	20	1	6	9	
	Dholka.....	5	24	38	2	10	16	1	6	9	
	Purantej... ... ... / Hursole	"	"	"	2	15	20	1	4	6	
	Morassa... ... ... / Bayud...	"	"	"	2	12	15	1	2	4	
Khaira.	Matur.....	6	18	24	1	12	15	1	8	10	
	Nuriad..... ...	"	"	"	1	12	15	1	8	10	
	Mahoonda	"	"	"	2	8	10	1	5	8	

"12. The limits originally laid down, therefore, in the first instance, by yourself, in "conjunction with Captain Fanning, would appear to have been considerably modified; "with the reason for this change I am unacquainted, and am unable to find any cor-"respondence bearing on the subject of the files of this office. The size of survey num-"bers appears to have been fixed with reference to the ryots' holdings, and not with "reference to the quantity of land capable of being ploughed by two and four bullocks "respectively."

"7. In paras. 1, 2, 3, 4 and 5 of his second letter No. 911,† Mr. Ricketts calls for a "full description of the working of our Bombay Survey and Settlement system. He "states in his 5th para., that he believes the original theory of the Bombay system "was correctly described by the Madras Government in the following passage:—'In "Bombay the smallest fields allowed were much larger, none being permitted under 10 "acres, and this was not only a detail, but a part of the revenue system.' Mr. Ricketts "has not correctly understood the plan on which the size of our survey fields is deter-"mined. The rule is, that the number of acres of each description of soil and kind of "culture that can be cultivated with a pair of bullocks is to be considered the regu-"lated extent for a survey field. The regulated extent varies, therefore, with each "description of cultivation, and is likewise dependent on the peculiarities of a "district. In rice land 3 or 4 acres is as much as can be cultivated with a pair of "bullocks, less than that in regular garden cultivation; but in dry crop culture, where "the soil is light, a man can cultivate 15 acres with his pair of bullocks, which con-"stitutes the minimum in such cases.

"8. Every holding of the prescribed area‡ is constituted a separate survey; field "holdings of less extent, having others of the same tenure contiguous, also of less extent, "are clubbed together, as many as are required to make up the prescribed area, being "formed into one field, provided always that not more than five or six different§ cul-"tivators' holdings are included in one.

* S. O.

† Captain Francis's Report No. 298, 22nd June 1857, paras. 7 to 11.

‡ See Rules in para. 17 of Joint Report.

§ The number varies in the different surveys.

" 9. But when the holdings of several different cultivators are included under one " field in this manner, the extent and value of each are ascertained and shown separately " in the accounts, and though such share is only a part of the field, the owner or occupier " can relinquish or transfer his right in it in the same manner as if it were an entire " field. His existing rights are respected, but for the convenience of survey, to prevent " the increase of pauper cultivators, which small holdings foster, and to avoid the expense " of so many boundary marks as would be required were the limits of each individual " holding thus separately defined, it has been found expedient in practice to include several " small holdings under one field.

" 10. The Madras Government have correctly understood the Bombay system* in " the following respect, when explaining that if a field were held in partnership, and " one of the co-partners died or gave up his part, the other co-partner must take it or " abandon his part also, unless he could find some one to take the vacant share. This " forms one of the rules of the Administrative Code, and its operation has not been attend- " ed with any difficulty, nor has any measure of hardship resulted from its rigid enforce- " ment. This is chiefly attributable to the manner in which our fields are constituted ; " when it is necessary to include the holdings of two or more cultivators in one field, " different tenures are never mixed up together, nor are the lands of the members of " different fraternities of ' meeras' proprietors clubbed together. A field, therefore, hav- " ing several shares in it, usually contains the estate, or part of it, of a family, and if one " of the members relinquish his share, there is no difficulty amongst the other members " in arranging for its cultivation : where the land is ' gutkholee,' that is to say, where the " cultivators are merely tenants at will, there is nothing to prevent the enforcement of the " rule, or the introduction, as Mr. Ricketts observes, of any system considered most conve- " nient for administrative purposes.

" 11. I think this is the only rule of our code against which objections have been " raised, and what has been explained above will show that the difficulties of practically " enforcing its observance are obviated by the manner in which the clubbing together of " small holdings is carried out.

" In the formation of our village map,† the original boundaries are, when practicable, " strictly adhered to. The existing *waiwat*‡ is therefore almost universally maintained. " It is only interfered with in cases where the original holding is less than or exceeds the " limits our rules denote, which are as follows :—

" 1*st*.—In black soil, under dry crop, a survey number should not be less than " 8 acres or greater than 22 acres, excepting when occupied by one individual " or kurdo, it may then be extended to 30 acres.

" In red or light soil, under dry crop, the minimum is 14 acres and maximum " 30 and 40 acres.

" In garden land, the maximum size is 10 acres.

* See para. 2.

† Mr. Davidson's letter No. 141, dated 2nd June 1857.

‡ Practice.

"*2nd.*—In breaking up waste land into numbers, the wishes or requirements "of the cultivators are studied. If the cultivators have no wish to express on the "subject, numbers are formed of different sizes, likely to suit the capabilities of "cultivators, but none to exceed 22 acres in black soil, or 30 acres in light soil.

"*3rd.*—In a village, therefore, there are fields ranging from 8 acres to 40 acres, "but an average size is, I should say, 13 acres."

8. This subject seems to require no further remark.

9. The only officer who has alluded* to the subject of the scale of pay of officers employed in the survey adverted to in para. 7 is Lieutenant Cowper, Superintendent in Guzerat, who remarks as follows :—

"Although it has been stated by Government† that this portion of Mr. Ricketts' letter "would be considered in the Secretary's office, yet I think that a few observations "here on the subject would not be out of place. In Bengal, I believe, the officers in "charge of survey parties are not of long standing, and generally under the rank of "Captain. There is also invariably a separate Settlement Department, the head of which "being generally a member of the Civil Service, would, it is presumed, draw a salary "equal to that drawn by others in the service of the same standing. Both these duties, "of conducting the details of the survey and making the settlement after the completion "of the survey operations, are performed by the Superintendent of Revenue Survey on "this side, the only exception to this being in the case of Guzerat, to which a Settlement "Officer has been appointed. In the case of Assistants, I am of opinion that a great "improvement might be effected in the Revenue Surveys without any additional expense "being entailed on Government, by a re-adjustment of salaries, chiefly according to merit; "but as a consideration of the subject would extend this letter beyond reasonable limits, "I do not now notice it, except to remark that the salaries appear to be amply sufficient "to induce Assistants to enter the Department, but not sufficient to retain, for any length "of time, the services of experienced and able survey officers."

10. I am not aware that any officers have left the survey on account of inadequacy of remuneration. As far as I know, there have been other preponderating causes, though I can easily believe that the constant exposure, and the sameness and monotony of the work would, to many men, be very wearisome and cause them to leave it with little regret. I do not however see reason to propose any alteration.

11. Mr Ricketts is correct in his idea of the mode of review adopted, as described in para. 4 of his letter No. 793, so far as this department is concerned.

12. In para. 9 of his letter No. 911, dated 11th April last, Mr Ricketts proposes‡ to give a Surveyor (Superintendent I suppose he means) authority over the rest, to secure uniformity and complete revision of professional work, on which subject the gentlemen who have been consulted reported as follows.

* Paras. 7 and 8 of Mr. Ricketts' letter No. 911.

† Para. 8 of Lieutenant Cowper's letter No. 118, dated 30th May 1857, accompanying Mr. Rogers' letter No. 64, dated 3rd June 1857.

‡ Paras. 9 and 10 of Mr. Ricketts' letter No. 911.

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"8. I presume the Surveyor General proposed* by the Madras Government is "meant to superintend the general operations of measurement and classification of soils "only. To superintend efficiently also the details of the revision of assessments in the "Bombay Presidency, where the tenures of land vary almost with every district, would "require a man of extended revenue experience and sound practical views of political eco-"nomy. It would be indeed almost impossible to find a worthy successor to Captain "Wingate in both branches.

"9. When a great extension of the survey operations was decided† upon in the year "1851, Captain Wingate was appointed 'Survey Commissioner' for purposes which, I "believe, to be substantially those mentioned in Mr. Ricketts' 9th para. Some special "duties were combined also with these, and upon completion the office was abolished, "when Captain Wingate returned to Europe. The necessity still exists, and there can be "no doubt that, if the appointment mentioned by Mr. Ricketts were made, the bene-"fit to Government would more than repay the necessary outlay for salary. There would "however probably be some difficulty in finding an officer with the necessary qualification, "who should be an Engineer Officer practically acquainted with the details of the Bombay "system, and in whose experience and judgment Government could place confidence.

"10. Should it be deemed advisable to appoint a consulting officer to Government "in the Survey Department, it would be necessary for him occasionally to visit personally "the different surveys, but this might perhaps be effected without interfering with the "other duties of a Superintendent."

13. It does not appear to me that there is any necessity for such an officer. When Captain Wingate was made Survey Commissioner, it was with a view to lay down the plan on which the survey, already introduced in the Southern Division, might most conveniently be introduced into the rest of the Presidency. He had great practical knowledge of the whole subject and his reports are of great value; and as far as a man could lay down plans for the future, under very varying circumstances, he seems to have anticipated what would be required with as great accuracy as could reasonably be expected. This work, therefore, has already been performed. It may be further remarked that one general superintendent could not get over ground sufficient, I should imagine, to make an extensive practical test of measurement and classification; the professional part of the duty would therefore still be, as now, under the Superintendents of Survey—in fact these officers are the professional officers of supervision; but if any difference arises, a reference to Engineer Officers can easily be made. Occasion, when such reference would be suitable, has rarely occurred to my experience.

14. The review of questions of assessment, &c. seems to pertain most properly to this office. The varying circumstances of the country preclude the idea of absolute uniformity, but the Revenue Commissioners in general attend to this point also.‡ Government have lately decided that it is better to leave the superintendents considerable freedom in the management of their own surveys rather than fetter them with further rules, which, though advocated by some superintendents, are objected to by others on the score of inapplicability. The only inconvenience I see is that a great deal of extra labor falls

* Para. 6 of Mr. Rogers' letter No. 64, dated 3rd June 1857.

† Paras. 9 and 10 of Lieutenant Cowper's letter No. 118, dated 30th May 1857.

‡ Government Resolution No. 3196, 6th July 1857.

on this department, but very little of it has occurred to my experience in which the professional opinion of an Engineer Officer would have been of any advantage. It would be a great relief to this office were a Survey Commissioner appointed, but for my own part I do not think there are other sufficient grounds to advocate the measure.

I have the honor to be, &c.,

(Signed) E. G. FAWCETT,

Revenue Commissioner, Northern Division.

(True Copy)

J. D. INVERARITY,

Acting Chief Secretary to Government.

W. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

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APPENDIX No. 516

Survey and Settlement of Bombay.

No. 1510 OF 1857.

FROM

H. W. REEVES, ESQUIRE,

Revenue Commissioner, Southern Division,

TO

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of

Civil Salaries and Establishments throughout India.

Revenue Commissioner's Camp "Nehe," 12th May 1857.

SIR,

I HAVE the honor to acknowledge receipt of your letter No. 687, January 16th, in which, assuming that Collectors in the Southern Division of this Presidency have been relieved of a considerable portion of their duties by the appointment of Superintendent of Police; of all duty connected with the settlement of alienated lands by the appointment of Inam Commission; and, in several districts, of all duty connected with the settlement and assessment of revenue by the survey—you conclude that the number of assistants attached to the several Collectorates may be reduced.

2. As I am unwilling that you should be guided by my opinion only in a matter of so much general importance, I referred your letter to the Collectors under my control, and forward the following summary of their replies.

3. The Collector of Sholapoor is of opinion that, if the number of assistants be reduced by one, he could carry on his duties conveniently, provided his 1st and 2nd Assistants and District Deputy Collector be always present for duty.

4. He proposes this however, not because he thinks it would promote the interests of Government or the public, but under the impression that Government will not be contented without reduction to some extent. He says that the new departments, though they have to a considerable extent relieved the Collector and Magistrate, have very materially added to the work of the district establishments, on which fall the demands for statements and information of every kind, and on every conceivable subject which engages the attention of the head of the newly created office. Mr. Goldfinch therefore does not advocate any reduction; but if reduction must be effected, he would have it in that part of the establishment which has been strengthened, and not on that part which has remained the same while its duties have so greatly increased.

5. Mr. Goldfinch adds that it is by a system of driving only that he gets his native establishment to *answer* the demands made upon it.

6. The Collector of Belgaon states that his department has not been relieved by the new Police and the Inam Commission; these two new departments provided for duties which previously were unprovided for. In the department of police, however,

the responsibility of the Magistrate and the labor of his assistants are very little less than they were before Assistants are relieved of some reports, but their duty is not perceptibly lighter. Inquiries into inam cases were either left wholly untouched formerly or slurred over.

7. Mr. Seton Karr observes in regard to the survey, that while it has disposed of questions of complaint or doubt, which often occurred during the existence of the old rates, (which, although oppressive and unequal, it is to be carefully borne in mind were fixed and regularly registered), it has on the other hand created new work, *viz.* correspondence and returns regarding boundaries and numerous disputes concerning occupancy, many of which are of an intricate and difficult kind. He thinks, however, that on the whole the survey has lightened the duty of Assistant Collectors in the Revenue department, because the jummabundy is effected with greater facility.

8. In forming a general opinion on the subject proposed, Mr. Seton Karr would have it observed that business is now conducted in a very different manner from that of fifteen or twenty years ago. When he first entered the service, no English record of proceedings in magisterial cases was required; and even when the Court of Directors insisted on this record being kept, it was not for many years required in a lengthy and complete manner as at present. English references to assistants have now greatly multiplied, and duty altogether is required to be more efficiently done and more fully placed on record.

9. Notwithstanding, Mr. Seton Karr is disposed to think that a reduction of one, that is, the 3rd Assistant, may be effected in Collectorates, provided each of the two assistants retained (1st and 2nd) be allowed four carcoons each instead of three, and the Deputy Collectors be always efficient. Under orders of the Sudder Fouzdaree Adawlut, no committals to the sessions are allowed with merely *vernacular proceedings;* so that a Deputy Collector and Magistrate who knows the vernacular only is a source of obstruction and annoyance to one of the assistants or to the other deputy who knows English.

10. Mr. Seton Karr concludes by observing that with a District Deputy who understands English and is thoroughly up to his work, and a 1st and 2nd Assistant Collector, he can dispense with a 3rd Assistant.

11. The Collector of Poona states that his Collectorate has never been without a Superintendent of Police. The Magistrate and his assistants have been recently relieved to some extent of certain preliminary executive and detective details, but this is all; for their judicial functions are the same as they were before. The Magistrate has to supervise and control the proceedings of the Superintendent and the conduct of the police; and although the work may in some slight degree be less, he is not of opinion that it has been diminished to any considerable extent.

12. The establishment of the Collector was quite insufficient to undertake the task of inquiring into inams, hence the department of the Inam Commission was considered necessary.

13. The settlement of the assessment by the Revenue Survey has not in any remarkable degree diminished the work of an Assistant Collector. The documents required for the annual settlement have still to be made out, examined, and tested; remissions in years of general failure have to be granted; and disputes about the occupancy of land have not

decreased. The advantage of the survey is that every thing is clearly explained in the records of Government.

14. Mr. Davidson doubts if the work of a Collector and Magistrate has been perceptibly diminished; it would, he believes, be more correct to say that, as he has been relieved of duties that were assigned, but not performed owing to want of power and means, the amount of work really done is the same as it was before the creation of the new departments. Mr. Davidson is, however, quite willing to undertake his present duties with three assistants and without a district deputy.

15. The Collector of Ahmednuggur observes with regard to the police as at present organized, that it was an answer to the oft-put question, "*Quis custodiet ipsos custodes?*" A Magistrate all day at his desk could not be in the saddle, as the Superintendent of Police. Without strict supervision, police* become the curse of the country. By the police on its present footing efficient superintendence has been secured; henious crime has been suppressed; but petty offences increase with increased police activity. Judicial labor has not been very materially reduced, while its worth has greatly increased.

16. The Revenue Survey has greatly improved and simplified our fiscal administration. The almost total abolition of the system of remissions is alone a great gain; the duties of our subordinate native agency have been much lessened; while the one great avenue for corruption, chicanery, and fraud has been closed.

17. The Collectors' duties have certainly been simplified, methodized, and reduced to accuracy by the Revenue Survey. The change from the former to the present state of things was one from chaos to order. The reduction of labor, however, lies mainly in the subordinate departments, where the elaborate remission statements and other documents were prepared: their multitude and hopeless confusion rendered European supervision almost nominal: now it is real, and the present real labor certainly exceeds the past nominal labor in worth, frequently too in extent.

18. The Inam Commission supplied a want which had long been felt, and which Collectors already overpowered with current duties never could meet. It has not, Mr. Tytler thinks, reduced the Collector's work, and he quotes the opinion of one of his Head Assistants, Mr. Shaw, who writes:—

"The best mode of testing whether Collectors have been relieved of much work is by "consulting the post-book for past and recent years; for although the various offices "named by Mr. Ricketts have been established, still they lead to much correspondence, "which would not otherwise have taken place.

"I would adduce the numerous references during the past year from the Director of "Public Instruction, each of which required long reports in reply; also to the frequent "communications of the Inam Commissioner."

In fine, continues Mr. Tytler, by our Surveys, Inam Commission, and Police Commissioner, our administration has been much improved; but work of all kinds has so much

* The Collector does not say what is however the case, that in Ahmednuggur, as in Poona, there has *always* been a Superintendent of Police, and this office is nothing new.

increased, that if we contrast the present and past labors of Collectors and Magistrates, they will, I think, be found to have greatly enlarged both in worth and in amount.

19. As to the main question, can our agency be reduced, and if not, why? Mr. Tytler says, under our existing organization, I am clearly of opinion that it cannot be materially reduced; under a better organization, I am equally clear that it may be reduced with advantage to Government and the public economy.

20. It is very difficult under present organization to give an approximate idea of the amount of work required in any zillah. Over each Collector and Magistrate there are some thirty or thirty-five controlling authorities. A list of them is appended. These independent departments are severally zealous in the performance of their own functions, and to this end are constantly issuing orders and calling for returns. "Averages for five or ten years" is a very favorite requisition, they show much at a glance, cost the department making them no trouble; but the labor required in their preparation is immense. The extra work thus entailed on our mamlutdars and establishments is not to be estimated. The mamlutdars of this zillah submit annually 18,555* *normal returns*, and this is wholly independent of the incidental calls unceasingly made by one or orther of the aforesaid thirty-two departments.

21. As a sample of these calls, Mr. Tytler says, I forward a return required monthly by the Military Board. The vast amount of existing correspondence is only, I believe, to be explained by these independent departments. More unity and concentration would greatly reduce paper work and leave time for real work.

22. I cannot say how much extra work may any day be entailed on my establishment by requisitions from one or more of the several officers enumerated in the list. I know it is argued—"Oh! it is your clerks who have to prepare these returns, not you."

But clerks are given for the duties of Collector and Magistrate, and their employment as assistants and feeders to other departments diverts them from their original duties. If these returns are left wholly to clerks, errors are detected, which give rise to much further correspondence. Many of those requisitions are, I am convinced, hastily and inconsiderately made, and prove eventually of no use. All these serious ills and clogs to business, with many others which it is needless to enumerate, would be swept away by concentrating authority. The work of all district establishments could then be fairly weighed and estimated, but under existing circumstances this is impossible.

23. Mr. Tytler then goes on to state that, when the European officers and deputies are at their full complement, which is exceedingly rare, they have an average charge of 2,000 square miles. The charges of the mamlutdars average 750 square miles.

24. In the Punjab the average charge of European officers is 623 square miles, and the 108 tuhseeldar charges appear to average 750 square miles.

Ahmednuggur, he observes, is supervised and its revenues collected at a cost of 10¼ pies per acre per annum and of 6½ annas per soul per annum. He thinks the 12,000

* I have not had time to test these figures.—H. W. REEVES, *Revenue Commissioner.*

square miles of Ahmednuggur might be more efficiently and cheaply superintended if the existing organization were totally abandoned, and one established in its place, in which unity of rule, purpose, end, and aim should be conspicuous, and in which clashing of orders and official interest should find no place. In place of Commissioners, Collectors, Assistants, and Deputies, he would substitute one progressive grade of Commissioners, Deputy Commissioners, and Assistant Commissioners, with as many grades in each class as might be found expedient. He would open them to all classes, with salaries varying from Rupees 200 per month and upwards; and he would make the Commissioners, Deputies, and Assistants do the triple work of Collector, Magistrate, and Judge, each having a suitable area to supervise.

25. The effects of the arrangement here proposed would, Mr. Tytler thinks, be that we should rid ourselves of the aforesaid ills and of the frequent change and transfer of assistants from one zillah to another, and from one branch of the service to another. We should never, as now, feel the want of competent assistants and deputies to fill the higher grades, as there would always be men in the lower prepared and qualified for advancement. With an ample breadth of base, we should supply the wants of the country and people; while all authority being concentrated and graduating upwards to one common centre, (and not as at present running into a variety of antagonistic departments,) we should supply our own want—that of unity.

26. The Collector of Dharwar shows by a figured statement, that business in the Revenue and Magisterial departments has not in the least decreased. The formation of the new departments, Police and Inam and Revenue Survey, tends, by division of labor, to perfect administration, but not to lessen correspondence; while increase of population and accumulation of wealth are attended with an increase of crime and litigation and questions calling for inquiry and settlement.

27. The Revenue Survey, by greatly reducing the land assessment, has undoubtedly relieved Collectors and assistants of vexatious inquiries into outstanding balances, applications for remissions on account of failure of crops, and boundary disputes; it has facilitated the collection of the revenue and adjustment of disputes about the occupation of land; but the extension of cultivation, the enhancement in the value of land, the competition for its possession and for the use of water in its irrigation, and the greater frequency of its transfer, give rise to disputes about the right to cultivate betweeen occupants, partners, lessees, mortgagees, and tenants-at-will, and even to the fabrication of fraudulent documents that involve questions by no means easy of arrangement.

28. Frequent references are necessary to the Superintendent of Revenue Survey relative to the assessment and survey of resumed lands, applications for permission to cultivate land not assessed at the time of survey, to disputes regarding the right of way to fields, or the use of water and tanks.

29. Another result of the impetus given to agriculture is the denudation of the country of trees, which has given rise to much correspondence and to new rules and arrangements, with a view to check so serious a growing evil.

30. The continual inspection of district and village accounts and of field boundary marks required under the present revenue system, and the accuracy demanded in all matters of reference, the increase of town and village municipalities which require

constant supervision, and the extension of works of public utility, have effectually prevented any diminution of business.

31. The liberal emoluments now bestowed on hereditary village officers under the new scale of remuneration consequent on the Revenue Survey have occasioned an active competition among the sharers of Wuttuns for the privilege of officiating in the Government village offices. No hereditary officer can now be dismissed without the sanction of Government obtained on a formal report, attended with proceedings which occasions correspondence—appeals are thus also greatly increased.

32. The Inam Commission has relieved Collectors of troublesome inquiries, but not from the duty of carrying into effect the decisions of that department for either partial or entire resumption of rent-free or quit-rent lands for their enjoyment in perpetuity or for a single generation. The death of almost every alienee now-a-days leads to some correspondence with the Inam Commissioner.

33. The office of Police Superintendent relieves the Magistrate and his assistant of executive police duties, but increased efficiency in the department of police causes more criminals to be apprehended and a greater number of trials. The re-organization of the Village Police and the lapse of Shetsundee lands in connection with it has given rise to many references.

34. An active correspondence passes between the Collector and his assistants and the Executive Engineer on the subject of Public Works, especially those for irrigation. Mr. Ogilvy adds also, that the new departments of Public Instruction and Vaccination have added to the former duties of Collectors.

35. Mr. Ogilvy is of opinion that the Dharwar Collectorate cannot be efficiently managed with two Assistant Collectors and a District Deputy Collector, or with three Assistant Collectors. Native agency, he observes, is cheaper than European, but he regards the presence of European Covenanted Assistants, who are superior to local influences, as necessary to the protection of ignorant and timid races, to exercise a wholesome moral influence over them, to promote education, municipal and other improvements, and to bring the civilization of Europe to bear upon a backward, though progressive, state of society.

36. The Collector of Sattara states that the police of his charge has not been placed under a Superintendent, and the Revenue Survey has yet been introduced into one Talooka. At present Mr. Ricketts' remarks do not therefore apply. At some future time Sattara will, it is presumed, be placed on the same footing as other Collectorates. Mr. Rose then gives it as his opinion that "the desk work of Collectors has not been reduced, but considerably increased. The appointment of Police Superintendents has, in a great measure, "but not entirely, relieved Collectors and Magistrates and their assistants of executive "police duty; and it does not tend to reduce, but, in as much as efficiency in the police "leads to the detection of crime, to increase the judicial business of the Magisterial department."

37. Mr. Rose is of opinion that the tendency of the Revenue Survey is to simplify and facilitate business and to reduce the labor of the native subordinate establishments; but the relief afforded does not, he believes, extend to the European agency or the

higher grades of the department. The Collectors and Assistants have authentic and clear data to work upon; the work is therefore better done, but there is not less of it than before. The maintenance of the survey, and the improvement of the state of things produced by it, create new responsibilities.

38. As to the Inam Commission, it has undertaken duty which Collectors could not undertake; while the new correspondence that has sprung up between Collectors and the Alienation department has considerably increased the duty of Collectors. The attention of the Revenue department to alienations is just as much now as it was before the Inam Commissioner and the Revenue Commissioner for alienations were appointed. That the Alienation department is not distinct from the Revenue may be gathered from a Circular Order of Government, No. 427, of January 31st 1857, making appointments of mamlutdars and native revenue officers of higher grades, recommended by Collectors and approved of by Revenue Commissioners, subject also to the approval of the Revenue Commissioner for Alienations, in order to ensure assistance to the Alienation department. It cannot be said that Collectors have been entirely relieved of business in the Inam department. If *they* (mamlutdars and others) are to serve the Alienation department independently of the heads of the Revenue department, to which the cost of their employment is charged, then the Alienation department deprives those officers of so much of the services of their most valuable native officers.

39. The labor and harassing duty of Collectors have not been diminished by the present mode of doing business. The number of authorities entitled to demand work from Collectors has greatly increased, while their means of satisfying these demands have not increased. Each of these authorities, independent of the others, and unaware of other demands made, is intent on procuring compliance with his own requisitions; and whether this multiplication of superintendence tends to promote the interests of the public service or not, it certainly does not tend to lessen the labor which falls on Collectors and Magistrates.

40. But assuming for the sake of argument, that Collectors have been relieved of part of their duty, it would be necessary, in order to justify on this ground a reduction of their covenanted and uncovenanted assistants, to show that their establishments were sufficient and able to meet all demands on them before the relief took place. Mr. Rose thinks that the question should have been put by Mr. Ricketts thus :—

" Are the establishments more than sufficient for the due performance of the duties " required of them ?"

41. The Collector of Rutnagherry quotes the opinions of his 1st and 3rd Assistants, of whom the former is an officer of experience, the latter an officer of two years' standing. He is of opinion that the covenanted assistants *now allowed* in Rutnagherry are indispensable, that a Huzoor Deputy Collector is indispensable. Whether a District Deputy Collector is absolutely necessary or not he cannot say, because he has heard that it is contemplated to add the Sub-Collectorate of Colaba either wholly or in part to Rutnagherry.

42. It is observable that the departments, Police and Inam, have yet made very little alteration in the Rutnagherry Collectorate. There always has been a Superintendent of Police. The Revenue Survey has not yet been introduced, and there is now very little probability that it will be so, at any rate for many years to come. The country is hilly,

rocky, rugged, and inaccessible, and thus Rutnagherry stands in a position totally different from that of all other Collectorates in the Southern Division.

43. My own opinion agrees very much with that of the Collectors as regards the police. The police was formerly left very much to the Police Jemadars or Rukwaldars of the Talookas; and the mamlutdars superintended these petty officers in a very languid, inefficient manner. The whole of the Talooka carcoons had both revenue and police duties to perform—there was a complete absence of organization. If a Magistrate or an assistant took much personal interest in the police, it was exceptionally encumbered—as the Collector and Magistrate and his Assistants were—with clerical duties; they were unequal to the task of active or well-sustained superintendence of this department. The present police supplies an absolute defect. The superintendence of the police still, however, remains with the Magistrate, and the Mamlutdars and Mahalkurrees are frequently obliged to engage actively in police duties. Relieved to some extent in police the Magistrate has been, but not materially; while his magisterial duties have on the other hand increased.

44. With regard to the Inam Commission, I have no hesitation in saying that, on the whole, the labors of Collectors and their assistants have not been relieved. During the last two years they have increased; and I see plainly that, owing to the recent new appointment of Revenue Commissioner for alienations, the duties of Collectors will increase still more. It is perfectly obvious, indeed, that every additional department must embarrass the Collectors and multiply correspondence.

45. I have already given my opinion on the subject of the Revenue Survey; here, therefore, I have only to repeat that the relief afforded is not material. I note that Mr. Seton Karr, Collector of Belgaum, is of opinion that, on the whole, the survey has lightened the duty of Assistant Collectors, because the jummabundy is effected with greater facility. My opinion is, that assistants generally labor under the very erroneous idea that, because the survey has so greatly simplified the settlement of the revenue, therefore they need take no trouble at all in inquiring into the condition of the village accounts. I have complained to Government on this point. The fact is that the relief afforded here is felt mainly by the village accountants, who had to prepare endless accounts and statements for the satisfaction of the Mamlutdars and the Collector's Dufturdar. The papers now required are comparatively few. The village officers, as well as the Mamlutdars and Dufturdars, are relieved, but the Assistant Collector rarely ever looked at the detailed accounts formerly; now he is required to do so; and in calling on an assistant to examine cultivation returns and other village accounts necessary to the settlement of the revenue, Government only desire him to perform what he can now satisfactorily do.

46. Mr. Davidson, the Collector of Poona, is clearly in error when he states that remissions continue as before. There can be no doubt that remissions are now rare, and that if Collectors are only firm and awake to the full amount of relief caused by the new assessment, they will soon disappear entirely. I might perhaps say that to some trifling extent they may continue in Sholapoor, where the season is generally so very uncertain. Outstanding balances have also disappeared almost entirely.

47. In settling and calculating the amount of remissions, the labor of the Collector and his assistant was a mere nothing, the weight fell chiefly on the officers named above, and it was disposed of once for all at the jummabundy. The inquiry into balances was laborious and the relief is here important, but I believe it to be met by the new duty

which has sprung up in connection with the occupation of land, and which employs the Collector and his assistants throughout the year.

48. That the general duties of Collectors and Magistrates have increased of late years does not, I believe, admit of a doubt. Mr. Tytler, Collector of Ahmednuggur, refers to a list* which I forward, and in it you will find eight new departments. In addition to this, work of all kinds is now required in a much more complete form than formerly, while it must be remembered that there is not a single Collectorate in the Deccan or in the Southern Mahratta country that has not been considerably enlarged during the last ten or twelve years, owing to lapses and resumptions.

49. Now as to your question, whether the number of assistants may be reduced, I would observe that really the Collectors never had more than two Covenanted Assistants and a Civil Surgeon to aid them. So inefficiently has the Civil Service been recruited, and so frequent have been the consequent transfers, that it has been no uncommon thing for a Collector and Magistrate to be left with a single assistant to meet the extremely heavy demands on his time and strength. A 3rd Assistant never remained in a Collectorate more than a few months. The moment he became qualified to make himself useful he was promoted and removed; and it is the same now, a 3rd Assistant is of very little use.

50. The work of a Collectorate, then, has hitherto been performed by the Collector and Magistrate and his 1st and 2nd Assistants, aided by the Civil Surgeon in charge of the Huzoor. But I confidently assert that, until the recent appointment of Deputy Collectors and Magistrates, the Collectors of this Division have never had fair play—they have been required to perform an amount of duty far beyond their ability. When aided by the full complement of assistants, the means at their disposal were exceedingly inadequate, and they could never reckon on retaining them for six months together.

51. At present the assistants amount to five, *viz.*, 1st, 2nd and 3rd, and deputies; when no Civil Surgeon is entertained to take charge of the Huzoor, or if, as is the case at Dharwar, a Civil Surgeon is employed, three assistants and one deputy. As already remarked, however, the 3rd Assistant is little else but a learner.

52. If business and correspondence could be controlled, I should say that the duties of the smaller Collectorates—

Poona, Dharwar,	Sholapoor, and Rutnagherry,

might be conducted satisfactorily by the Collectors, with the aid of three regular assistants, or two such assistants and a deputy thoroughly acquainted with English, who might be kept at the Huzoor or employed in the districts as circumstances require. In the large Collectorates—

Belgaum, Ahmednuggur, and	Sattara,

it would be necessary to employ three regular assistants and a deputy, or two such assistants and two deputies, *both* well acquainted with English.

* See para 20 of this letter.

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53. I see, however, no prospect of a reduction in our correspondence, and business seems to me to become heavier instead of lighter. Departments are multiplied, and therefore, I think, that the withdrawal of any portion of the staff of Collectors is inadvisable.

I have the honor to be,

SIR,

Your most obedient servant,

HENRY REEVES,

Revenue Commissioner, Southern Division.

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No. 334 OF 1857.

FROM

S. MANSFIELD, ESQUIRE,

Collector of Candeish,

To

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of

Civil Salaries and Establishments throughout India.

Candeish Collector's Camp ;

Dhywell, 28th February 1857.

SIR,

I DO myself the honor to acknowledge the receipt of your letter No. 778, of 14th instant, requesting my opinion as to whether the completion of the Survey Settlement in a district diminishes the labor of a Collector's office and more especially that of the Assistant Collectors.

2. The Revenue Commissioner, Northern Division, forwarded for my opinion your reference to him on the same subject, and I beg to enclose a copy of my reply.

3. To show what is the difference of work entailed on a Collector in surveyed and unsurveyed districts, it is necessary to describe the nature of the revenue settlement and its results, and contrast them with what existed previously. By the new settlement, the whole of the arable land of the village is measured, classified, and assessed ; the whole of the fields are divided into numbers by boundary marks, and the village boundaries all marked off. The settlement is made for thirty years, and the assessment cannot be reduced or increased till that period is completed. The assessment on all lands has been equalized and reduced ; stated periods for the payment of the instalment have been fixed, within which all payments must be made, and no advances in the shape of Tagai or Tuccavee for the purchase of bullocks, seeds, &c., are allowed. The results may be summed up very shortly :—*1st.* The whole of the arable land has been, or is being, gradually brought under cultivation : *2nd.* The revenue is punctually paid up according to the instalments : *3rd.* No remissions are given except in very bad season indeed : *4th.* There are no outstanding balances : *5th.* There are no village boundary disputes.

4. *Previous* to the settlement, the land was over and unequally assessed, and a great portion of it out of cultivation. The revenue was collected with difficulty, and remissions to a very large amount were annually given. There were annually large

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outstanding balances notwithstanding. Large sums were advanced in Tagai, and there were constant boundary disputes. Any person, not even acquainted with the details of revenue management, must perceive that the difference of labor devolving on a Collector's establishment, in a district in which all is confusion, and that in which it is quite the reverse, must be enormous, and he must also be convinced that, if no additional duties (and if there are any, I am not aware of them) are imposed on a Collector in surveyed districts, the work of his establishment must be very much reduced by the completion of the survey settlement.

5. A great deal has been written of late years regarding the performance of certain duties, the importance and extent of which however have been, in my opinion, very much exaggerated and over-estimated.

6. The duties alluded to are—

1st.—Scrutinies of cultivation returns;

2nd.—Inspection of boundary marks;

3rd.—Examination of village accounts; and

4th.—The disposal of petitions referring to the succession to Government land on the death or desertion of incumbents.

1. Scrutinies of cultivation returns.

7. The late Mr. Goldsmid, who originated the survey settlement and superintended it for nearly fifteen years, and Captain Wingate, who was connected with it for upwards of twenty years, have officially stated in their reports, that so few instances of concealed cultivation have come to their knowledge during their survey operations, that concealed cultivation may be said not to exist. The experience of all other officers employed in the Revenue Survey has furnished the same result, and this, it must be remembered, when land was over assessed, and the inducement to cultivate it surreptitiously was much greater than it is at present. Such a state of things will apparently afford matter for surprise, but a little reflection will show it could not have been otherwise, for the village communities are so constituted, that not only all the public, but all the private affairs of individuals are known to the whole body. No ryot could cultivate any land surreptitiously without the knowledge of the Patells or heads of the village, nor the latter without the ryots knowing it. The Patells know they are liable to have their Wuttuns attached if they betray their trust, and also, owing to the feuds which exist in every village, they are sure that information will be sooner or later given either to the Native or European authorities. Consequently, cases of concealed cultivation are of very rare occurrence indeed, as may be seen by a reference to the criminal statistics of the Presidency.

8. In nearly all the surveyed districts, it may be said the entire arable land is in cultivation, and therefore there is no opportunity of fraud being committed with regard to waste land.

9. In a few districts, here and there, there are villages in which a portion of indifferent land is waste; but they are very few, and the revenue realizable from them insignificant; but should there be any land surreptitiously cultivated, no scrutinies of the cultivation returns would enlighten an Assistant Collector on the subject. A number of fields are entered waste and cultivated in returns, but without a personal inspection of the village lands, or in the absence of information acquired through other channels, he is unable to ascertain whether the return is true or not.

10. It is not to be expected that an Assistant Collector can visit every field thrown out of cultivation, and fortunately such a course is not required, for experience has proved that the machinery of our native revenue administration, supervised by European officers and combined with the habits of the people, is a sufficient safeguard against any extensive fraud.

11. The inspection of the land in cultivation is made by carcoons, who are supervised by the mamlutdar, and that officer is responsible that the returns are correct. The Collector and his assistant should see that the latter does his duty, but there is no necessity for their doing what he can do as well, if not better, than they can. An assistant might inspect annually the lands of three or four villages in each of his districts where there was waste, which would be quite sufficient to check his native subordinates.

2. Inspection of boundary marks.

12. The field boundary marks are inspected by the hereditary district and village officers and stipendiary carcoons, whose work is again tested by the mamlutdar. The Government have ordered the Assistant and Deputy Collectors to inspect them also, but with all due deference any thing more than is necessary to supervise the native establishment is labor and money thrown away. It cannot be supposed that the finances of the state can bear the expense of a costly covenanted European agency to perform a duty; a peon properly supervised can do as well; and if we cannot trust mamlutdars, who are paid at the rate of between one and two hundred Rupees a month for such supervision, there must be something radically wrong in the system. If an Assistant Collector inspected the field boundaries of three or four villages in each of his districts, which would not take him more than three hours a day for six or seven days, it would be a quite sufficient check on his native establishment.

3. Examination of village accounts.

13. The Bombay Government have for many years strongly inculcated on all their revenue officers the duty of frequently examining the village accounts, but I am inclined to think more importance is attached to the subject than it now deserves. Under the Peshwa's Government the districts were farmed, and the farmers looked to the Patells for the revenue, who apportioned it among the different cultivators according to their respective holdings. When the British Government succeeded, the ryots were found very naturally dependent on the Patells, who, it was supposed, committed a great deal of injustice, especially in not giving the ryots full receipts for their payments in the shape of revenue.

14. To counteract the proceedings of the Patells, the village accountant was obliged to give the ryots receipts for all payments, and other measures were taken to make the ryots aware of the amount of the rent due by them to Government, one of which was for the European and Native officers to assemble them at stated times, ask them what they had paid, and compare their statements with their receipt books and village accounts.

15. These measures, in the course of time, have had the desired effect, and the ryots are now well aware of what they have to pay. I have examined thousands of them, and an instance of one forgetting or not knowing what he has paid, or is to pay, is very rare indeed. This duty is, therefore, a very light one, and will become more so every year. It should, in the first instance, be performed by native officials, who should be supervised by the Assistant Collectors.

16. As regards petitions regarding the right to succeed to lands on the death or relinquishment of incumbents, there have been certain rules laid down for the guidance of officers by Government. A mamlutdar in accordance with them places claimants in possession, and if any parties feel injured by his proceedings, an appeal lies to the Assistant Collector.

4. The disposal of petitions, &c.

17. I have served, in the course of upwards of twenty-two years' service, in seven Collectorates, both in surveyed and unsurveyed districts, and it appears to me perfectly unintelligible how an officer of any standing, who has had experience of the duties incidental to both, can be of opinion that the labor of a Collector's office has not been diminished by the Survey Settlement.

18. Of course, if a Collector or his assistant performs duty which his native subordinates can do as well as himself, he can have as much to do as he pleases; but I am of opinion such an officer mistakes his position and should confine himself to duties which nobody can perform but himself.

19. In the duties of "scrutinizing cultivation returns," "inspecting boundary marks," "examining village accounts," and "deciding claims to succeed to the occupancy of fields," the duty of an assistant is to see that his native establishment perform their duties; and to enable him to exercise an efficient supervision of them, it is only necessary for him to perform a comparatively very small portion of such duties, and anything more is superfluous.

20. In conclusion I would observe that I think European officers are apt to overlook the great improvement which has taken place of late years in our native officials, both as to their intelligence and their conduct. Twenty-five years ago a mamlutdar, who was not corrupt, was a very rare case indeed, whereas now, though a corrupt man is not so rare, at least two-thirds of our higher revenue functionaries are men of great respectability and intelligence, and are equal to any duty assigned to them, under very slight supervision on the part of the Collector and his assistants.

21. As I have said in my letter to Mr. Fawcett, I am inclined to think any Assistant Collector could efficiently perform all the duties connected with five Talookas, where the magisterial business is not heavy, as is the case in most of the zillahs subordinate to Bombay.

22. Should you wish it, I will furnish you with a memorandum of what, in my opinion, would be an ample establishment in each Collectorate of Assistants and Deputy Collectors.

I have the honor to be,

SIR,

Your most obedient servant,

S. MANSFIELD,

Collector.

1800

APPENDIX No. 518

Survey and Settlement of Bombay.

No. 261 OF 1857.

TERRITORIAL DEPARTMENT, REVENUE.

FROM

E. G. FAWCETT, ESQUIRE,

Revenue Commissioner, Northern Division,

TO

H. YOUNG, ESQUIRE,

Officiating Chief Secretary to Government, Bombay.

Khandeish District, Revenue Commissioner's Office,
Camp Sondana, 2nd February 1857.

SIR,

I HAVE the honor to subjoin my replies to the queries put in your letter No. 114, dated 10th ultimo.

2. The Revenue Survey is in the course of introduction into Ahmedabad, Khaira, Tanna and Khandeish of the Northern Division, but the operations have not yet been completed in any. The Talookas which have as yet been assessed are the Khalsa portion of Dholka in Ahmedabad, Nasrapoor, and Panwell in Tanna, and Sowda and Yawul in Khandeish. The revised assessment is as at present considered experimental, no guarantee for a period of years having yet been given.

3. The labor of a Collector will be decreased,* inasmuch as it will be in years only of serious failure that remissions will be granted. The principal decrease of labor will be in the case of the district establishment, which now has more or less to measure the extent of cultivation annually, examine the particular description of crops and the extent to which they may have produced average crops or otherwise. Under the survey, the assessment will be taken up on entire fields without reference to the actual quantity cultivated, and except in such years as it may be considered to grant remissions, the amount of failure will rarely require to be enquired into.

4. New engagements are not usually made and the assessment is nowhere revised annually, except in cases of lands subject to inundation in the beds or vicinity of rivers and similar exceptional cases. In some places the rates vary according to the crop raised, but they do not vary for the same crop, at least whatever is fixed as the village rate is not altered; but the rates of different villages vary. In the Konkan there are the commutation rates, which vary according to the season and the state of the market. These rates are by the Collector or assistant fixed annually on consideration of the average market price and general circumstances.

5. In districts under survey the assessment is determined by the survey officers without the intervention of the Collector. It is however the duty of the Collector to review the assessment of the survey officers and give his opinion upon all points that arise. He must make himself fully acquainted with all that is going on and estimate the probable consequences of what is proposed to be done. The labors of the Collector are, doubtless, increased considerably during the progress of the survey.

* Mr. Fawcett retracted this opinion in his letter of the 17th June 1857, para. 2.

6. The Collector has no responsibility in connection with the alienated revenue of a Collectorate, except so far as concerns the realization of the Government share, which is recovered from the alienee. When villages are attached under a Writ of the Civil Court, they are made over to the Collector for management, and the Collector is responsible to the Court for the due collection of the revenue of the same.

7. The amount included in the returns as gross revenue, and deduced to show the realizable revenue, is the difference between what the lands actually pay and what it is estimated that they would pay if under full assessment; so far it is a mere nominal entry.

8. The Collectors are, no doubt, much relieved by late and progressing arrangements, but it is difficult to define to what extent. I am inclined to think that the relief, however, will prove but temporary: the extent of a Collector's charge in area, revenue, and population is so great, that I fully anticipate that it will not be long before new work springs up that will tax their energies to as great an extent as has ever been the case.

I have the honor to be, &c.,

(Signed) E. G. FAWCETT,

Revenue Commissioner, Northern Division.

(True Copy)

H. YOUNG,

Officiating Chief Secretary to Government.

519

No. 219 OF 1857.

FROM

C. E. F. TYTLER, ESQUIRE,

Collector of Ahmednugger,

To

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of

Civil Salaries and Establishments throughout India,

BOMBAY,

Ahmednugger, Collector's Camp at Kolhar, 19th February 1857.

SIR,

I HAVE had the honor to receive your letter No. 775, of the 13th instant, calling for the result of my experience as to how far the Revenue Survey has reduced the work in my zillah.

2. The old system was one of high rates and endless uncertainty of assessment. The survey has substituted for this low rates, certainty of assessment, and perfect accuracy of system and record. The change was one from chaos to order.

3. The evils of the old assessment were greatly aggravated by the remission system, whereby in years of failure the produce, in the different holdings of ryots, was estimated field by field, and abatements of revenue made to the extent of some lakhs of rupees yearly in this zillah alone.

4. Our low survey assessment has abolished all. or nearly all, necessity for annual remissions. In this respect alone, therefore, the labor of subordinate officers has been much reduced, details greatly simplified, and accurate data substituted for fiction.

5. The reduction of labor, however, lies mainly in the subordinate departments, where the elaborate remission statements and other documents were prepared: their multitude and hopeless confusion rendered European supervision almost nominal. Now it is real, and the present real labor certainly exceeds the past nominal labor in worth, frequently too in extent.

6. In this zillah the European officers and deputies (when at the full complement, *which is rare*) have an average charge of 2,000 square miles. The mamlutdars' charges average 750 square miles.*

7. In the Punjab each European has only an average of 623 square miles, and the 108 tuhseeldars' charges average 750 square miles.

8. The zillah consisting of about 12,000 square miles is supervised and its revenue collected (from 82,640 payers) at a cost of 10¼ pies per acre per annum, and of 6½ annas per soul per annum.

9. I think it would be easy to give this zillah a much more efficient supervision at a cheaper rate; but I would not reform bit by bit, I would thoroughly abolish and reorganize the whole *de novo*.

I have the honor to be,

SIR,

Your most obedient servant,

C. E. FRASER TYTLER,

Collector.

P. S.—I have the honor to append hereto extracts paras. 6 to 9 and 12 to 15 of my Report to Revenue Commissioner Southern Division in reply to your letter No. 687 of 16th ultimo to him.

C. E. FRASER TYTLER,

Collector.

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EXTRACT PARAS. 6 TO 9 AND 12 TO 15 OF A REPORT TO THE REVENUE COMMISSIONER, SOUTHERN DIVISION, No. 220, OF THE 19TH FEBRUARY 1857.

The main question.

PARA. 6. But the main question under discussion is—'Can our agency be reduced, and if not, why?' Under our existing organization, I am clearly of opinion that it cannot be materially reduced consistently with good government and the public weal. Under a better organization, I am equally clear that it may be reduced with advantage both to Government and the public with economy.

* Square miles 81,000, 130 Officials. Punjab Report, No. 18, p. 100, and No. VI., p. 1, &c.

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PARA. 7. It is very difficult under present organization to give an approximate idea of the amount of work required in any zillah. Over each Collector and Magistrate there are some 30 or 35 controlling authorities. I append a list of them. These independent departments are severally zealous in the performance of their own functions, and to this end are constantly issuing orders and calling for returns. Averages for five or ten years is a very favorite requisition; they show much at a glance, cost the department making them no trouble; but the labor required in the preparation is immense. The extra work thus entailed on our mamledars and establishments is not to be estimated. The mamledars of this zillah submit annually 18,555 normal returns, and this is wholly independent of the incidental calls unceasingly made by one or other of the aforesaid 32 departments.

PARA. 8. As a sample of these calls, I forward with this a return required monthly by the Military Board. I could send you thousands such—one will suffice. The vast amount of existing correspondence is only, I believe, to be explained by these many independent* departments. More unity and concentration would greatly reduce paper work and leave time for real work.

PARA. 9. I cannot say how much extra work may any day be entailed on my establishment by requisitions from one or more of the several officers enumerated in the appended list. I know it is argued—'Oh, it is your clerks who have to prepare these returns, not you.' But the clerks are given for the duties of the Collector and Magistrate, and their employment as assistants and feeders to other departments diverts them from their legitimate duties. If, too, these returns are wholly left to clerks, errors are then detected, which give rise to much further correspondence. Many of these requisitions are, I am convinced, hastily and inconsiderately made, and prove eventually of no use. All these serious ills and clogs to business, with many others which it is needless to enumerate, would be swept away by concentrating authority. The work of all district establishments could then be fairly weighed and estimated, but under existing circumstances this is impossible.

PARA. 12. I am inclined to think, however, that the 12,000 square miles under report might have a more efficient management at a cheaper rate; but I do not think this end will be attained by piecemeal reform and cuttings. I would thoroughly reorganize the whole *de novo* under the rule of *small charges and efficient superintendence.*

PARA. 13. I would abandon totally our existing organization, and I would substitute one in which unity of rule, of purpose, end, and aim should be conspicuous, and in which clashing of orders and official interests could find no place.

PARA. 14. In place of our present Commissioners, Collectors, Assistants, and Deputies, I would have *one* progressive grade, consisting of Commissioners, Deputy Commissioners, and Assistant Commissioners, with as many grades in each class as might be found expedient. I would open them to all classes, with salaries varying from Rupees 200 per month upwards. I would make the Commissioners, Deputies, and Assistants do the triple work of Collector, Magistrate, and Judge, and I would give each a suitable and moderate area to supervise.

* It is like the awuk and jawuk (English inwards and outwards) of the mamledars and mahalkurrees, which we could well spare.

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PARA. 15. We should thus rid ourselves not only of the aforesaid ills, but of the frequent change and transfer of assistants from one zillah to another, and from one branch of the service to another. We should never too, as now, feel the want of competent Assistants and Deputies to fill the higher grades, as there would be always men in the lower prepared and qualified for advancement. With an ample breadth of base, we should fully supply the wants of the country and people, while by all authority concentrating and graduating upwards to one common centre, (not as at present to a variety of antagonistic departments), we should supply our own want—that of unity.

(True Extract)

C. E. FRASER TYTLER,

Collector.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

APPENDIX No. 521

Survey and Settlement of Bombay.

No. 1563 OF 1857.

FROM

E. G. FAWCETT, ESQUIRE,

Revenue Commissioner, Northern Division,

To

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Revenue Commissioner's Office, Poonah, 17th June 1857.

SIR,

I HAVE the honor to acknowledge the receipt of your letter No. 687, dated 16th January, enquiring whether, on consideration of various new departments having been formed, whereby the Collectors are supposed to be relieved of work, the number of assistants may not be reduced.

2. I beg to forward to you reports as per margin,* and beg to inform you that I think the views expressed by the other Collectors are more correct than those of the Collector of Khandeish. I have now seen Mr. Reeves' reply to your enquiries, made through the Secretary to Government, replied to in my letter No. 261, dated 2nd February. On further consideration, I feel necessary to retract the opinion I gave in paragraph 3 of that communication. I am satisfied that although the new assessment by the Revenue Survey will diminish labor in some respects, it will increase it in others. The experience of the working of this assessment is very little in this division, being, as explained in the letter above quoted, introduced but in a few places, while the new assessment is in full operation, with very small exception, in the Southern Division. Mr. Reeves and all the Collectors of his Division are of opinion that the work has increased, and their experience of it renders their unanimous opinions unquestionable.

* Collector of Ahmedabad, No. 141, dated 29th January 1857.
Ditto of Khaira, No. 144, dated 11th February 1857.
Ditto Broach, No. 205, dated 16th March 1857.
Ditto Surat, No. 111, dated 28th January 1857.
Ditto of Tannah, No. 156, dated 26th January 1857.
Ditto Khandeish, No. 178, dated 2nd February 1857.

3. As regards the institution of other departments, I think the views expressed by the Collectors of Ahmedabad, Khaira, Surat and Broach are very just; *viz.* that these departments have been instituted to do work which nominally pertained to the Collector, but could not be done by that officer except to a small extent. This circumstance rendered the institution of the new departments necessary; and the performance of the work by them keeps up a correspondence with the Collectors and pressure of work by its progress which before was in abeyance.

4. The work not being less, but, as I believe, much greater than it used to be, I do not see how any assistantships could be reduced. Besides, the arguments adduced by the

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Collectors, it may be observed, that it is necessary that there should be some surplus to give men the necessary insight into business before being called upon to undertake very responsible duties. For instance, suppose the establishment so arranged as to give a Collector only one assistant, the assistant could not always be an experienced person ; he must sometimes be a new hand ; and if the Collector fell sick or died, or was by any way suddenly removed, the whole duty would fall for a term on a young man without experience of business. Furthermore, for want of sufficient number of grades of assistantships, it would in like manner become necessary to promote very young assistants to be Collectors, or else to select from other departments

I have the honor to be,

SIR,

Your most obedient Servant,

E. G. FAWCETT,

Revenue Commissioner, Northern Division

No. 156 OF 1857

FROM

E C. JONES, ESQUIRE,

Collector of Tannah,

To

E. G. FAWCETT, ESQUIRE,

Revenue Commissioner, Northern Division.

Tanna, Collector's Office, 26th January 1857

SIR,

WITH reference to your endorsement No. 167, dated 21st instant, I have the honor to report, that no sensible diminution of work has been experienced in consequence of the circumstances enumerated by Mr. Ricketts. The Assistant Collectors have their hands full of business, and even if they were not so constantly employed, it would be a great mistake to reduce their number without giving additional magisterial powers to the district officers, *i. e.* Mamlutdars and Mahalkurrees.

2. The great evil of our administration being the enormous distance people have to travel to obtain justice in every trifling case that a Mamledar cannot try.

I have the honor to be,

SIR,

Your most obedient Servant,

E. C. JONES,

Collector

APPENDIX No. 521

Survey and Settlement of Bombay.

No. 111 of 1857.

TERRITORIAL DEPARTMENT, REVENUE.

FROM

G. INVERARITY, ESQUIRE,

Collector of Surat,

TO

E. G. FAWCETT, ESQUIRE,

Revenue Commissioner, Northern Division.

Dhoolia, Surat Collector's Camp, Surus,

Oolpar Talooka, 28th January 1857.

SIR,

I HAVE the honor to acknowledge the receipt of your endorsement No. 167, of the 21st instant, on a letter from Mr. Ricketts, No. 687 of the 16th idem, requesting to be informed whether the complement of assistants in this collectorate might not be reduced in consequence of the Collector's duties being supposed to have diminished from the appointment of a Superintendent of Police, Inam Commissioner, and Survey or Settlement Officers.

2. I believe that Mr. Ricketts will find, on reference to the records, that the Superintendents of Police were appointed not to relieve the Magistrates of work which the latter and their establishments were found already competent to perform, but because in most cases it was placed beyond question that the Magistrates were compelled, from press of multifarious duties, to perform in a perfunctory manner either those falling under their judicial control or those of a purely executive character, such as the supervision and discipline of the subordinates employed on Police duty. The Superintendents of Police are purely executive officers, confining their labors to the discipline of their men and the discovery of crime, and in that capacity act as aids to the Magistrate, not independent of him. The Magistrate is responsible for the peace of his district, and must either himself or through his assistants dispose of every charge brought against any Police officer, and has therefore to maintain a general supervision over the whole proceedings of the Police. All correspondence between the Superintendent and Commissioner passes through his office, and when a separation was effected between the Revenue and Police peons and other officers, all the subordinates were passed over from the Collector and Magistrate's department to the Superintendent of Police, no extra establishment on that account having been entertained or allowed. The result is that the Police details, of a purely executive character, are very much more efficiently supervised than before; a distinction has been drawn between Revenue and Police authorities; but the work of the Magistrate or his assistants is not one whit diminished; they have still, when necessary, to assist in the detection and apprehension of criminals. The preparation and disposal of all cases fall to their hands, and the work of the correspondence department, generally in the vernacular I believe, to be very considerably increased in consequence of the constant intercourse on all subjects that has to be kept up between the Magistrate and Superintendent and the Assistants on detached duty.

3. In like manner, with the Inam Commission, its officers were appointed because it was found that the Collector, with the materials at his disposal, could not find time properly to adjudicate on all titles to free land coming before him, or claims for money payments, and the many hundreds of cases and notices lying at the present date undis-

posed of in this and the adjoining Collectorate of Broach are sufficient exemplification of this. The Inam Commission has relieved the Collector of much of this and relieved his assistants of nothing, as under the terms of Regulation XVII. of 1827, the Collector personally had to dispose of all questions of the kind, and the assistants could only relieve him in a very minor degree.

4. The operations of the Revenue Survey have not been extended as yet to this Collectorate, and for several years to come are not likely to be so where the survey exists; it relieves the Collector or his assistants of nothing, it acts in concurrence with the Collector, not independent of him; and so long as it does last, the Collector's duties are increased, not relieved. After its completion, the agriculturists are freed from much that before pressed heavily upon them; but the duties of collection and supervision still fall upon the Revenue Officers, all of whose care is required to maintain the principles and proceedings of the survey unbroken. In such districts, in a few years hence, when matters have settled down into routine, and when all the wild tracts with which the Peninsula abounds have been reclaimed, the Collector's and Assistant Collector's duties will be diminished; but not till then.

5. It is not, therefore, apparent to me how the assistance at present accorded to the Collectors can be diminished in consequence of the institution of the establishments alluded to by Mr. Ricketts, two of which, it is shown, were appointed to perform work which the Collectors and their Assistants from being already overtaxed had been found incapable of perfecting, and the third or survey department affording no relief whatever, but so long as it lasts quite the opposite.

6. It further appears to me that the Commissioner for the Revision of Civil Salaries is aiming in his present scheme at rather a negative system of diminution, as it is seldom the case that any Collectorate has at any one time its full complement of 1st, 2nd and 3rd Assistants. Surat, for instance, has at present no third, and was for a long time without a second. Broach, during the year and a half I was there, had neither a second nor a third, and other Collectorates will be found to have been similarly situated. The work therefore, in such cases, falls heavily upon the Revenue and Magisterial officers on the spot, and the more so, that usually neither the Superintendent of Police, Inam Commissioners, and Survey Officers, can take any share in the disposal of magisterial duty, which always occupies so much of an assistant's attention.

7. In conclusion, I have only to add, as respects this collectorate, that it has not for some years had its full complement of assistants, and that a reduction in the nominal number would result in no actual saving to the state; while to reduce the *average* number of assistants *really* employed would be a tantamount denial of justice to the people, and the result of much dissatisfaction and inconvenience, both public and private, to the state and to individuals.

I have the honor to be,

SIR,

Your most obedient servant,

G. INVERARITY,

Collector.

APPENDIX No. 521

Survey and Settlement of Bombay.

No. 141 of 1857.

FROM

J. W. HADOW, ESQUIRE,

Collector of Ahmedabad,

TO

E. G. FAWCETT, ESQUIRE,

Revenue Commissioner, Northern Division.

Ahmedabad, Collector's Camp, Chuniar, 29th January 1857.

SIR,

WITH reference to your Memorandum No. 167, dated 21st instant, forwarding for report copy of a letter from Mr. Ricketts, Commissioner for the Revision of Civil Salaries and Establishments, I have the honor respectfully to offer it as my opinion, that no reduction could be made in the present number of Assistants and Uncovenanted Deputy Collectors and Magistrates allowed in this zillah, without causing very serious inconvenience to the public service and much hardship to the people.

2. You are fully aware how largely business in all departments has been added to, particularly in this Collectorate, within the last few years, and how exceedingly difficult it is for the head of this department, even with his present establishment of Assistants and Uncovenanted Deputy Collectors and Magistrates, to keep the work from falling into arrears.

3. As regards the assistance the Collector and Magistrate derives from Uncovenanted Deputies, I may observe that the amount of it must depend upon the qualifications of these officers, which should be equal at least to those of Covenanted Assistants; but this cannot be, unless the Deputy is well acquainted with English. Without a knowledge of English, the assistance they actually afford to the Collector and Magistrate is comparatively small, as they are not allowed by the orders of the Sudder Fouzdaree Adawlut to commit cases direct to the Session Court in the Vernacular; and when, in other cases, all the proceedings of these officers are in the Vernacular, the trouble to the Magistrate, by having to wade through sheets and sheets drawn up in the form of detailed English proceedings, in cases forwarded for confirmation and for review on appeals, is nearly as great as if the Magistrate had to try the cases himself.

4. As regards the relief which Mr. Ricketts considers has been afforded to the Collectors by the appointment of Superintendents of Police, the Inam Commissioner, and by the Survey and Settlement Officers, I would merely observe that, if it had been the case that such duties had ever devolved upon this department, or been attempted on the scale on which they have been entrusted to the officers referred to, the question of the possibility under the altered state of affairs of reducing the number of assistants, covenanted and uncovenanted, would not be difficult to answer in the affirmative; but even had such been the case, it should not be lost sight of that the duties of the Collector and Magistrate have been considerably added by having now to attend to municipal affairs where the Municipal Act has been introduced and educational subjects, to which he is compelled to devote much of his time.

5. The appointment of Superintendent of Police, and the arrangements made in consequence, have, as far as I can perceive, very little, if at all, relieved the Magistrates of such portion of their duties as had reference to Police matters. A Magistrate's duty

connected with the Police consisted chiefly in the supervision and control of the subordinate officers, and this to a certain extent he is required now to exercise. According to the orders of Government and the Sudder Fouzdaree Adawlut, the Superintendents of Police are required to confine their duties as closely as possible to the detection and apprehension of offenders and the prevention of crime, handing over the accused to the District Police Umuldars, the Assistant Magistrates, and the District Deputy Magistrates, with such proofs as they have succeeded in obtaining, without detaining them in custody longer than may be absolutely necessary.

6. In this zillah, as you are aware, before a Superintendent of Police was appointed, there had always been an officer under the Magistrate in command of a very efficient body of Police—this officer was an Assistant Magistrate as well as Commandant of the Kooly Police Corps, and the greatest assistance was always rendered by him and his subordinates to the Magistrate in the detection and apprehension of offenders and in the preservation of the peace of the zillah.

7. In the same way the Commandant of the Guzerat Irregular Horse was an Assistant Magistrate, and also co-operated with the regular Police most efficiently in the pursuit and apprehension of offenders; the duties performed by the men of the Guzerat Irregular Horse being in those days almost confined to Police.

8. On the other hand, the separation of the Police and Magisterial departments has in one respect considerably added to the work of the Magistrate—I allude to English correspondence on different subjects, which is now carried on between the Commissioner of Police and the Superintendent of Police and the Magistrate on different subjects connected with reforms and proposed arrangements, subjects which necessarily take up much of the Magistrate's time and attention.

9. As regards alienations of revenue, I may observe that, owing to want of leisure and the inadequacy of his establishment, the duty of the Collector connected with resumptions and settlements of lands appears to have been almost entirely confined to serving notices ; very few of such cases having been disposed of either in the Collector's office and in those of his assistants ; hundreds and hundreds of these cases remaining undisposed of have now been transferred to the Alienation Department for settlement.

10. No relief has therefore been as yet afforded by the appointment of this commission, while the correspondence has been greatly added, owing to the inquiries now in progress into alienated revenues—this department being in correspondence both with the Officiating Special Commissioner and his assistants, from whom references on important subjects are constantly being received—requiring immediate attention.

11. The same as regards the operations of the Revenue Survey department and the duties of the Settlement Officer. The co-operation of the head of this department and his assistants is essentially requisite to enable these officers to carry on their duties satisfactorily, and as regards correspondence, their proposals in regard to settlements and revisions of village establishments and charges have all to be maturely considered and reported upon by the Collector.

12. For the above reasons, I consider that the duties of the Collector and Magistrate in this zillah, so far from having decreased within the last few years, have been consi-

derably added, and that consequently no reduction in the number of Assistants and Uncovenanted Deputy Collectors and Magistrates can be made without obstruction to business, and, consequent thereon, serious inconvenience to the public service.

I have the honor to be,

SIR,

Your most obedient servant,

J. W. HADOW,

Collector.

No. 178 OF 1857.

FROM

S. MANSFIELD, ESQUIRE,

Collector of Khandeish,

TO

E. G. FAWCETT, ESQUIRE,

Revenue Commissioner, Northern Division.

Khandeish, Collector's Camp, Shada, 2nd February 1857.

SIR,

IN reply to your Memorandum No. 167, of the 21st instant, forwarding a letter No. 687, of the 16th idem, from Mr. Ricketts, Commissioner for the Revision of Civil Salaries, &c., regarding the necessity of employing so many Assistant and Deputy Collectors in Collectorates which have been surveyed, and in which their duties have been so much reduced by the appointment of an Inam Commission and Superintendents of Police, I have the honor to forward copy of a letter No. 1914, dated 8th October 1856, addressed by me to the Chief Secretary in reply to his printed Circular No. 295, dated 22nd April last, in which you will perceive that I alluded to this very subject.

2. Before the mohoturfa and sayer taxes were abolished, and before the survey was introduced, and when land was most irregularly over-assessed, an Assistant Collector had more than he could possibly do properly. Numberless individuals complained of being unable to pay their revenues, and each complaint entailed a lengthened and detailed enquiry, which never ended—added to which there were numberless boundary disputes and large outstanding balances. As for alienations, they were never inquired into, except in a most imperfect and slovenly manner, owing no doubt to the more pressing calls on the time of the European officers for their current duties.

3. The whole of these duties have now no longer to be performed. The mohoturfa and sayer taxes were abolished by Act XIX. of 1844, and by the introduction of the revenue survey there are no complaints of over or irregular assessment. Generally speaking, the whole of the arable land is in cultivation, and no Collector or Assistant has the power to revise it. There are no outstanding balances which formerly entailed a laborious inquiry on the European officers. There are no boundary disputes, and the alienations are investigated and decided on by another department.

4. As for magisterial work, crime was formerly much more rife and has gradually diminished as the general circumstances of the population have improved under the influence of the abolition of taxes and revision of the land assessment. This amelioration has been very materially aided by the labors of the Thuggy and Dacoity department. Formerly, not only all criminal cases were investigated by Assistant Magistrates, but all cases of untraced crimes were reported to, and all the duties of Executive Police devolved on, the Magisterial department. These now are performed by the Superintendent of Police, and the Assistant Magistrate has only to try cases in which the offenders have been apprehended.

5. The duties of an Assistant or Deputy Collector and Magistrate consist in receiving reports and petitions on revenue matters, chiefly relating to disputed occupation of land, examining the talooka and village accounts, making the annual revenue settlement of the districts, supervising the stipendiary and hereditary district and village officers in the Revenue and Police departments, and deciding the magisterial cases which occur in his talooka. What may be the number of disputes about the occupation of land in the surveyed districts I have no means of judging, but in Khandeish, they cannot become for many years very numerous, owing to the vast tracts of waste land. The examination of talooka accounts is an important duty, but it devolves principally on the Collector, who ought, during his circuit, to examine nearly the whole of them; and as to the village accounts, if an assistant makes a *bonâ fide* examination of ten or twenty villages in each talooka, and makes his mamlutdars and mahalkurrees examine the remainder, there is no fear of any irregularity existing for any length of time without being found out. The annual revenue settlement was formerly a most arduous operation, but now it is quite the reverse. The whole of the arable land in surveyed villages is in cultivation. A reference to the record shows what the survey assessment is. The instalments are all fixed, and the settling officer has only to see that the instalments due up to the time of his settlement have been paid, and to receive any complaints which the ryots have to make. These of course are very few, as the ryots well know the settling officer has no power to revise his assessment, which he must pay or throw up his land. In a season of deficient rain, when remissions are required, more labor and time must be devoted to the settlement, but as they are given on one uniform principle, ten days or a fortnight would be sufficient to devote to the duty.

6. As to the magisterial business, it varies very much in every district. In Khandeish there were three hundred and eighty-nine cases investigated by the magisterial authorities during the past year, which is in considerable excess over those of the three preceding years, owing to a deficient harvest. Of the above cases, one hundred and two were tried by the Huzoor Deputy Magistrate and the remainder by three Assistant and two District Deputy Magistrates. These five officers decided therefore under five cases each per month.

7. What the number of civil suits may be in other zillahs I am not aware, but in Khandeish there are scarcely any: during the last year there were only seven.

8. From what I know of the Deccan, Southern Mahratta, and Khandeish Collectorates, I am inclined to think that no intelligent and painstaking officer could have the least difficulty in managing five talookas after the assessment has been revised; but in Tannah and other Collectorates, where the magisterial duties and the file of civil suits are heavy, a smaller charge perhaps would be found necessary.

9. In addition to the duties above enumerated, the Assistant Collector has to make the tour of his district, visit the villages, see what improvements can be introduced in the way of roads and irrigation, &c.; but this takes up no time, and is generally performed in his morning and evening rides.

I have the honor to be,

SIR,

Your most obedient servant,

S. MANSFIELD,

Collector.

No. 1914 OF 1856.

FROM

SAMUEL MANSFIELD, ESQUIRE,

Collector of Khandeish,

To

H. YOUNG, ESQUIRE,

Officiating Chief Secretary to Government of Bombay.

Khandeish Collector's Camp, Malligaum, 8th October 1856.

TERRITORIAL DEPARTMENT.

SIR,

I HAVE the honor to acknowledge the receipt of the Government Circular, No. 295, of 22nd April last.

2. In reply, I beg to inform you, I recommended in a letter No. 1466, of 29th July 1856, to the Revenue Commissioner, Northern Division, that the district establishment of Khandeish should be remodelled on the completion of the Revenue Survey operations, by which a net saving of Rupees 581 per mensem will be effected. As my letter will be laid before Government by the Revenue Commissioner, therefore there is no need of my sending you a copy of it.

3. I have also in my letter No. 856, dated 7th May last, to the address of the Secretary, Political Department, suggested that the situation of Political Assistant of Rupees 300 per mensem should be done away with, which the Government, in their resolution passed under date 28th May 1856, were pleased to acquiesce in.

4. With a view to further reduction, I would respectfully suggest that the pay and allowances of the Assistant and Deputy Collectors should be re-considered.

5. Since the survey has been introduced, and inquiries into Inams and Alienations have been made over to a separate commission, and the duties of Executive Police have been withdrawn from the magistorial department, the labors of Assistant and Deputy Collectors and Magistrates have become very light indeed; and I much question if in any of the surveyed districts the work is sufficiently heavy to occupy any Assistant or Deputy so much as four hours a day on an average. In a few instances, where the magisterial work is heavy, their time may be more occupied; but such cases, I am inclined to think, are only exceptions to the general rule. In the event of their number being

reduced, it would be necessary to invest three or four mamlutdars in each zillah, with magisterial powers, which would ensure the despatch of business as satisfactorily as the present system.

6. The only other saving which I think might be effected is in the pay of three Hospital Assistants who are detached on personal duty with the Commandant of the Bheel Corps and the two Bheel Agents. In former times, when it was necessary for these officers to be constantly out in all times of the year, in pursuit of refractory Bheels, in unhealthy jungles, no doubt they required medical attendants; but as this is no longer the case, and they are not more exposed than the Collector and his Assistants, who have no medical attendance of any kind, these three Hospital Assistants are no longer required, and might be very well dispensed with.

I have, &c.,

(Signed) S. MANSFIELD,
Collector.

(True Copy)
S. MANSFIELD,
Collector.

No. 144 of 1857.

From

JOHN ROBLEY MORGAN, Esquire,
Collector of Khaira,

To

EDWARD GORDON FAWCETT, Esquire,
Revenue Commissioner, Northern Division.

Khaira Collector's Camp, "Rurroo," 11th February 1857.

Sir,

With reference to your endorsement No. 167, of the 21st ultimo, on letter No. 687, of the 16th idem, from the Commissioner for the Revision of Civil Salaries and Establishments throughout India, requesting my report, whether the number of my Covenanted Assistants and Uncovenanted Deputy Collectors and Magistrates can be reduced, I have the honor to inform you, that I am humbly of opinion the number now attached to this Collectorate is hardly sufficient, and decidedly not more than the requirements of the zillah demand.

2. It is with all due deference, though only called upon for my opinion regarding the Khaira zillah, I remark that the two Collectorates of Ahmedabad and Khaira, and with both of which I have been intimately acquainted for years, have never had a sufficient number of assistants for the work that there was to perform; and I am humbly of opinion, that it has been through want of sufficient European supervision that the immense arrears of enquiries into alienations and the numerous frauds in the same that are now being brought to light have been caused; the duties of the different officers having been so heavy, that it was perfectly impossible for them to pay attention to all the subjects that might come before them.

3. I feel confident that the charge of the 1st Assistant in this Collectorate is as much, if not more, than he can thoroughly supervise and make enquiry personally into

the numerous subjects that appertain to his office, and that daily come before him ; the same with respect to the 3rd Assistant, who has charge of two districts, and the District Deputy Collector, who has one. The duties of the Huzoor Deputy Collector, connected with the Account Department and other miscellaneous duties attached to the office, with charge of the town and the magisterial work of one pergunnah, are as much as any one person can properly perform.

4. Besides the above Assistants and Deputies, I have a junior Assistant, Mr. Coulson, attached to the office, who has not yet passed the Departmental Examination, which, when he has done—should he be permanently attached to the office, and which I most strongly recommend—I would propose the 1st Assistant being relieved of one of the pergunnahs at present in his charge, as I feel certain the greater the supervision, especially European, in the districts, the greater the benefit to the people generally and to the Government ; and every one, with a knowledge of Guzerat, must be aware what importance natives attach to European supervision, and with what confidence they lay their most trifling complaints before an Assistant, in preference to having it decided by one of their own class.

5. I perceive that the Commissioner for the Revision of Civil Salaries observes, that Collectors (and Magistrates) have been relieved of a considerable portion of their duties connected with the Police by the appointment of Superintendents of Police, of all duty connected with the resumption and settlement of alienated land, and of all duty connected with the settlement and assessment of revenue. It is, however, a complete fallacy to suppose that, by the appointment of officers for these several departments, the duties of a Collector and Magistrate have been lightened, though, at a first glance, and without being intimately acquainted with the different offices, it might appear as if such really was the case.

6. For instance, first, with regard to the appointment of Superintendent of Police, who is merely an Executive Officer, exercising no judicial authority, except with reference to the stipendiary members of the Police force, the Magistrate still continuing to exercise the general control over the Police of the zillah ; and though relieved of the executive functions of the Police, yet his constant attention is as much required now, as it was formerly, to the administration of the Police, of which the Magistrate is the responsible head. The appointment of Superintendents of Police would appear to have been made, because it was found that the Magistrate had not sufficient time to devote to the subject ; and since the establishment of this officer, the yearly files of English and Native correspondence show that the Magistrate has not actually been relieved of any portion of his work ; but on the contrary, the numerous calls for reports and references have added considerably to the duties of the office. At present, nearly all correspondence between the Commissioner and Superintendent of Police passes through the Magistrate, who has also to reply to numerous references made direct by the Commissioner of Police.

7. Again, with respect to the Alienation Department and the resumption and settlement of alienated land, the immense arrears of cases pending inquiry, and which the different Collectors of this zillah, for many years past, have found it perfectly impossible to take up, show the necessity there was of relieving the Collector in some measure of work that it was not possible to get through.

8. Again, with respect to the Survey and Settlement Department, which has lately commenced operations in this zillah ; this has not relieved the Collector of any of his former duties ; and had it not been established, the work could not have been taken up and accomplished by the Collector for very many years.

9. It is with due respect that I bring to your notice, who are so well acquainted with the wants of Guzerat, that it appears to me the Commissioner for the Revision of Civil Salaries has started with erroneous premises, *viz.*, that the Collectors' and Magistrates' duties, before the appointment of these new departments, were not more than they could efficiently get through; whilst it is notorious—and the arrears in the different offices will, I feel confident, bear me out—that the duties of a Collector and Magistrate formerly were, and even at the present time are, so onerous, that though the whole time and attention of these officers are devoted solely to the different subjects referred to them, yet they are unable to accomplish all that is required.

10. The establishment of any new department connected with the magisterial or revenue duties of a Collector and Magistrate actually imposes more work upon these officers than relieves them, as they are called upon for information on various points, the collection of which involves lengthened search into the records of Government, and which has to be put into shape, all of which involves much extra duty on the Collector—for example, I instance the Public Works, Educational, and Alienation Departments.

11. You will perceive from the above remarks, that at present there are three Assistants and two Deputies attached to this Collectorate, and that I am strongly opposed to this number being reduced; but though this is the present strength, yet it is but seldom that this number will be found in practice actually present, owing to the unhealthy nature of the climate and emergencies of the service, when it has frequently happened, that the Collector has been left with merely one Assistant; so that if the number is in any way reduced, it might happen that the whole charge of the zillah would be thrown into the hands of a young and inexperienced Assistant.

I have the honor to be,

SIR,

Your most obedient servant,

J. R. MORGAN,

Collector.

No. 205 OF 1857.

FROM

C. J. DAVIES, ESQUIRE,

Collector of Broach,

TO

E. G. FAWCETT, ESQUIRE,

Revenue Commissioner, Northern Division.

Broach, Collector's Office, 16th March 1857.

SIR,

I HAVE now the honor to forward the Report called for, by your endorsement No. 167, of the 21st January 1857, forwarding copy of a letter No. 687, of the 16th idem, from the Commissioner for the Revision of Civil Salaries and Establishments.

2. Mr. Ricketts enumerates three ways in which, it appears to him, that Collectors have been relieved within the last few years.

1*st*.—The appointment of Superintendents of Police; 2*nd*.—The appointment of the Inam Commission; and 3*rd*.—The services of the Survey and Settlement Officers.

3. I do not think that any one ever seriously imagined that the appointment of Superintendents of Police, in any way, relieved Collectors more than nominally. The new Police system did not so much give relief by assistance in the performance of duties which were done before, as supply a defect by providing for the performance of duties which *could not* be performed before. It relieved Collectors of duties which fell to them as Magistrates, not because they could perform them, but because there was no one else to perform them—of duties which, previously to the introduction of the new system, never were performed, at least not efficiently. On the whole, I think that, in practice, the Magistrate and his Assistants have more to do now than before the introduction of the new system. The Magistrate is still held responsible for the peace of the district, and has therefore to keep a vigilant eye on the Superintendent's proceedings, and he has one more person to correspond with. Both the Magistrate and his Assistants, moreover, are continually stimulated by the Superintendent into taking notice of matters which might otherwise have remained unnoticed.

4. You, as former Collector of Ahmedabad and Surat, must be personally so well aware of the state of matters as regards the settlement and resumption of alienated lands in Guzerat, that it is almost needless for me to state my opinion, that the introduction of the Inam Commission affords no relief to Collectors in this Province. In Ahmedabad, Surat and Broach (and I believe in Khaira also), the resumption cases have reached that number, that anything Collectors and their Assistants can do with regard to them must be mere child's play. In fact, as far as I know, for years past, Collectors have ceased attempting doing any thing with regard to them. A special machinery was needed, which is supplied by the Inam Commission.

5. Undoubtedly, when the Inam Commission (as represented by the Alienation Department) shall have completed its labors, Collectors will be in a much better position than they were before its introduction. In the meantime, their work is very seriously increased by the incessant correspondence which they have to keep up with the Alienation Commissioner and his Covenanted and Uncovenanted Assistants, both in English and Guzeratee.

6. The survey has not yet been introduced into this Collectorate, but when it is introduced, I do not anticipate that work will thereby be lessened. The survey will do work which the Collectors and his Assistants do not now do, except occasionally here and there, when a new village is founded, or the rates in any village urgently demand immediate revision. The survey will relieve them of these occasional demands on their time, but, on the other hand, will entail on them correspondence with the Survey Officers.

7. Since the appointment of Deputy Collectors in 1852, the working strength of the Covenanted Officers in this Collectorate has been diminished. Formerly, in addition to a 1st Assistant, there appears to have been either a 2nd or 3rd Assistant, more often the former. Thus matters continued down to April 1853, when the appointment of 2nd Assistant fell vacant, and has not since been filled up, except for a few months in 1854. In September 1856, a 3rd Assistant was appointed, and since March 1855, there has been one Attached Assistant, and occasionally there have been two. At the present moment there is no 1st Assistant; there is a 3rd Assistant holding a small revenue charge, and there is an attached Assistant performing only magisterial duties. I am respectfully of opinion that

more aid is required, not with regard to the number, but with regard to the rank of the Assistants. Either a 1st Assistant or an experienced 2nd Assistant is much required. In the absence of such an officer, there is no one qualified to take charge of the Collectorate, except for a day or two, so that if the Collector were to go away for a month or two on sick or private leave, some one would have to be detached from another station. Again, in the absence of such an officer, all business of any importance must be done by the Collector personally. In addition to a 1st or an experienced 2nd Assistant, either a 3rd or an Attached Assistant would be sufficient; both a 3rd and an Attached Assistant are not necessary.

I have the honor to be,

SIR,

Your most obedient servant,

C. J. DAVIES,

Collector.

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THE following information, regarding Revenue Survey Appointments, is published under instructions from Government.

By order of the Right Honorable the Governor in Council,

H. E. GOLDSMID,

Secretary to Government.

Bombay Castle, 10*th October* 1853.

MILITARY OFFICERS.

1. Every Officer appointed for the first time to a Revenue Survey Department is to enter it as a SUPERNUMERARY, and continue in that grade until he is reported by the Superintendent to be qualified for the independent charge of a native establishment, and a vacancy occurs among the ASSISTANT SUPERINTENDENTS, when he will be promoted to the latter grade.

2. The Superintendent is not to report a Supernumerary as qualified for the charge of a native establishment, until he has passed an Interpreter's Examination, either in Mahrattee or Goozerattee, and an Examination as regards reading and speaking in the language of the zillah in which he is to be employed, and has also satisfied the Superintendent that he has acquired a sufficient knowledge of Plane Trigonometry, Field Surveying, and Topographical Drawing, and has completely mastered the detailed rules for the guidance of the native establishments in the execution of the various operations connected with the survey.

3. Preference will be given by Government to candidates for appointments who have already passed an Interpreter's Examination, and are proficient in the above branches.

4. Applications (which are to be sent to the Private Secretary to the Governor through the Commanding Officers of Regiments) should be accompanied by certificates

obtained in Europe, or from qualified Officers in this country, as to the knowledge the applicants have attained of Plane Trigonometry, Field Surveying, and Topographical Drawing, unless their names are borne on the Army Returns as "Surveyors," in which case a reference to the authorised Army List will be sufficient.

5. The following are the emoluments to be received by Military Officers holding Revenue Survey appointments :—

A SUPERNUMERARY ASSISTANT SUPERINTENDENT is to receive :—

Net military pay and field allowances of his rank.

Allowance for office tent and carriage	Rs.	75	0	0

If he should not be promoted at the expiration of one year's service, but is qualified for the charge of a native establishment, he is to receive, in addition to the above allowances, a salary of Rupees 100.

An ASSISTANT SUPERINTENDENT is to receive, on promotion to this grade, if not at the same time placed in charge of a native establishment—

Net military pay of his rank.

Salary as Assistant Superintendent	Rs.	250	0	0
Allowance for office tent and carriage	"	75	0	0

From the date of receiving charge of a native establishment, until the expiration of two years of actual service* in the Department, counted from the date of his promotion to the grade of Assistant Superintendent, he is to receive :—

Net military pay of his rank.

Salary as Assistant Superintendent in charge of an establishment	Rs.	375	0	0
Allowance for office tent and carriage	"	75	0	0

After the expiration of two years' actual service in the Department as Assistant Superintendent, he is to receive :—

Net military pay.

Salary as Assistant Superintendent in charge of an establishment	Rs.	500	0	0
Allowance for office tent and carriage	"	75	0	0

A SUPERINTENDENT of Survey is to receive per mensem—

Net military pay of his rank.

Salary as Superintendent	Rs.	600	0	0
Ditto Assistant Collector	"	100	0	0
District travelling allowance	"	300	0	0
Allowance for office tent and carriage	"	75	0	0

* Absence from duty for any period in excess of one month, on sick certificate or on leave on private affairs, does not count as service in the Department.

UNCOVENANTED OFFICERS.

6. The preceding rules and scale of emoluments are also applicable to UNCOVENANTED OFFICERS holding any of the above appointments, except that in lieu of military pay and allowances the UNCOVENANTED SUPERNUMERARY ASSISTANT SUPERINTENDENT is to receive a salary of 100 Rupees per mensem ; and, after promotion, in lieu of net military pay, batta at the rate of 3 Rupees per diem while employed in the districts for any period not exceeding eight months in any one year.

INFERIOR APPOINTMENTS OPEN TO MILITARY MEN UNDER THE RANK OF COMMISSIONED OFFICERS AND TO OTHERS.

7. The Rules requiring each Officer to enter a Survey Department as a Supernumerary, and to possess certain qualifications before he can be reported by the Superintendent as qualified for the charge of a native establishment, apply also to this grade, except that the SUPERNUMERARY SUB-ASSISTANT will only be required to satisfy a local Committee that he possesses a colloquial knowledge of the language of the zillah sufficient to enable him to converse freely with the ryots, and also an acquaintance with the written character sufficient to enable him to examine the Survey Records. The emoluments are as follows:—

A SUPERNUMERARY SUB-ASSISTANT SUPERINTENDENT is to receive :—

Salary	Rs.	50	0	0
Allowance for office tent and carriage.....	„	75	0	0

And if not promoted at the expiration of one year's service, but is qualified for promotion, is to receive an addition of 50 Rupees to his salary.

A SUB-ASSISTANT SUPERINTENDENT is to receive, for the first two years, after promotion to this grade—

Salary.....	Rs.	180	0	0
Allowance for office tent, &c.	„	75	0	0

Batta while in the districts, for any period not exceeding eight months in each year, at the rate of 1½ Rupee per diem.

After the expiration of two years' actual service in the Department as Sub-Assistant Superintendent—

Salary	Rs.	250	0	0
Allowance for office tent, &c.	„	75	0	0

Batta as above, at 1½ Rupee per diem.

8. In the event of a Supernumerary Assistant or Sub-Assistant Superintendent being appointed to the charge of the native establishment of an officer absent from the Department for more than one month, he is to receive from the beginning of the second month, either the whole of the retrenched portion of the absent officer's salary, or so much of it as may suffice to make up his own allowances to those of an ASSISTANT

APPENDIX No. 522 and 523

Survey and Settlement of Bombay.

SUPERINTENDENT or SUB-ASSISTANT SUPERINTENDENT (as the case may be) on first promotion to either of these grades.

H. E. GOLDSMID,

Secretary to Government, Revenue Department.

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No. 312 OF 1857.

FROM

T. O'GILVY, ESQUIRE,

Collector of Dharwar,

To

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of

Civil Salaries and Establishments throughout India.

Bombay, Dharwar Collector's Office, Camp Dumoh, 4th March 1857.

SIR,

I HAVE the honor to acknowledge the receipt of your letter dated the 13th instant, No. 776, requesting me to inform you, with the least practicable delay, to what extent the completion of the Survey Settlement has lessened the work, or is likely to lessen it in my district.

2. The subjoined statement shows the number of orders issued on revenue subjects by the Collector of Dharwar in the Vernacular Department during the five years preceding, and during five years subsequent to, the Revenue Survey Settlement :—

Preceding the Survey.		*Subsequent to the Survey.*	
	ORDERS.		ORDERS.
1838 ...	4,903	1852 ...	15,226
1839 ...	4,661	1853 ...	15,833
1840 ...	4,682	1854 ...	14,133
1841 ...	5,787	1855 ...	16,233
1842 ...	3,915	1856 ...	13,543

from which it appears that there has been a considerable increase of revenue business since the completion of the Revenue Survey Settlement.

3. I must explain, however, that the figures do not furnish accurate data for comparison, since the mode of registering correspondence was altered in the latter years so as to include endorsed orders, &c. that were previously merely recorded in the daily journal of vernacular correspondence. At the same time, I think it will appear from the explanations given below, that revenue business has had a tendency progressively to increase from year to year rather than diminish. It will be observed that the recorded number of orders in 1854 and 1856 is considerably less than in other years since the survey; but that was not caused by any actual diminution of business. In 1854 the office of Collector changed hands several times, and was more than once in charge of an Assistant, which necessarily led to a less active correspondence. In 1856 the Collector discontinued the practice of entering among the orders issued all replies to petitioners, which were merely endorsed on the petitions and returned to the petitioners, and made further arrangements for lessening correspondence, though not actual business.

4. There can be no doubt that the Revenue Survey Settlement has relieved local revenue officers from vexatious inquiries, in order to the adjustment of outstanding balances, for the disposal of applications for remissions consequent on failure of crops, and for the settlement of boundary disputes and encroachments on neighboring fields by the holders of rent-free and other lands.

5. It might further be expected that disputes regarding the possession of land would decrease in proportion to the ascertainment of individual rights, were it not that the increasing value of land leads to its more frequent transfer by lease, sale, or mortgage, and to new disputes and the fabrication of fraudulent documents calling for inquiry and adjustment by the revenue officers.

6. The reduction of the assessment has greatly enhanced the value of land and created an active competition and never-ending disputes for its possession. Differences between proprietors, partners, lessees, mortgagees, and tenants at will, quarrels for the right of way to fields and for the use of water from wells and tanks for their irrigation, continually call for inquiry and arrangement. Another result of the stimulus given to agriculture by the easy terms of the survey settlement has been the denudation of the country of trees, which has led to new rules and to increased vigilance and correspondence with a view to preserve and increase the supply of timber. References must often be made to the Superintendent of the Revenue Survey relative to the survey and assessment of resumed lands and for detailed information to facilitate the adjustment of contending claims.

7. The increase of population, commerce and wealth, consequent on internal tranquillity and prosperity, would seem to forbid the hope of any immediate diminution of such matters of business, at least in districts managed ryotwarree.

8. The emoluments of the Heads and Accountants of villages were fixed on a greatly augmented scale framed by the Revenue Survey Commissioner in 1853, and this has led to new disputes in the families of those hereditary officers for the right to officiate; and appeals from the decisions of the Collector on these and other subjects to superior authority give rise to much correspondence.

9. I may add that the Collector and his Assistants are required, in addition to their many other revenue duties, to examine, in their tours through the Province, the district and village accounts and records, to inspect field boundary marks, and to render periodical returns to the Revenue Commissioner showing that they have done so.

10. I have confined my reply to the question propounded in your letter, and have not referred to other causes of the increase of the business of Collectors, which will, however, be noticed in a separate communication addressed to the Revenue Commissioner.

11. I beg to express my regret at the delay that has occurred in answering your letter, but I could not give a satisfactory reply, until I had prepared the statement showing the details of the Collector's business for a series of years.

I have the honor to be,

SIR,

Your most obedient servant,

T. O'GILVY,

Collector.

APPENDIX No. 524

Survey and Settlement of Bombay.

No. 2374 of 1857.

TERRITORIAL DEPARTMENT, REVENUE.

FROM

H. W. REEVES, ESQUIRE,

Revenue Commissioner, Southern Division,

To

J. D. INVERARITY, ESQUIRE,

Acting Chief Secretary to Government.

Poona, Revenue Commissioner's Office, 20th July 1857.

SIR,

IN acknowledging the receipt of your Memo. No. 2965, of 22nd ultimo, I have the honor to inform you, that the practice as regards contingent expenditure in the surveys of this Division, and, I believe, in the Northern Division also, is to permit of the Superintendent of each survey expending whatever he may consider requisite for carrying on ordinary operations. A bill is submitted at the end of the month for audit, and the money is then disbursed. No fixed sum has been allotted for the purpose of meeting contingent expenses; the Superintendent is held responsible for strict economy in his expenditure. The Assistants all receive their supplies *direct* from the Superintendent; no discre- is allowed them. According to this mode of arrangement, the monthly expenditure has been, I should say, small, averaging Rupees 43 a month for each establishment or staff of an Assistant, in the Poona and Tanna Survey, as follows:—

Total Contingent Expenditure for the past year	Rs.	4,669
No. of Establishments, including the Huzoor, for which incurred		9
Average amount for each Establishment in the year	Rs.	518
Average rate for each Establishment per *mensem*	„	43

Mr. Ricketts states that in Bengal each Surveyor is allowed Rupees 200 per mensem to meet contingencies. Whether by "Surveyor" is meant the head of a single measuring or classing establishment, or other sub-division of a survey, or whether a Superintendent is meant, I am unable to say; but I conjecture the former, and if I am correct, one of our Surveyor spends about one-fifth of the fixed allowance of the Bengalee Surveyor.

2. Our system of providing for and auditing contingent expenses in the survey will be found described at page 267 of the Compilation* of Revenue Orders, under the head of a Notification in the General Department, dated 24th April 1855.

3. On the subject of Mr. Ricketts' 2nd paragraph I have to refer Government to my Report No. 2039,† of 24th June last, in which the system of Revenue Survey pursued in the Southern Division is described at considerable length. Inconvenience has been felt in the superintendence of the survey, and it arises from the circumstance of the survey being so directly under the Revenue Commissioner, since the departure of Captain Wingate. This I have severely felt, more particularly in the case of the Rutnagherry Survey; and the responsibility and labor thus devolved upon me, unaided as I am by Assistants, have certainly interfered with other duties. Now that the Rutnagherry Survey has been stopped, and Sattara alone remains to be surveyed in the Territories above the Ghâts, I shall not, I trust, feel the burden so much; but it is my opinion that Government would do well to

* Copy sent to Mr. Ricketts, with Government Memo. No. 2315, dated 23rd March 1857.

† Copy sent to Mr. Ricketts, with Government letter No. 3265, dated 10th July 1857.

provide for the superintendence of the Survey in some effective manner, by which it might be at once accelerated and improved.

4. There appears to me to be work for two Revenue Survey Commissioners in this Presidency. I would have the duty of superintendence between them, and their work would thus be well done and quickly done. Under a single Commissioner, I think, it would probably be exceedingly slow, while the supervision would be weaker in proportion to its greater extent. I think nothing of uniformity of petty details, so long as important principles are maintained and local peculiarities are carefully allowed for. The object of Government is, I urge, to get the survey over *as soon as possible*, and at the same time to get it as well done as possible.

5. I would recommend Captain Anderson having half of the Presidency remaining for survey as Commissioner, and Captain Francis the other half, and I would assign them each Rupees 1,500 per mensem, with travelling allowance, whenever travelling, at the rate of Rupees 10 per diem, or the same as that of a Collector. Under these Officers, I would appoint subordinate Superintendents on Rupees 750 a month, for the various Collectorates, who should proceed exactly as at present. I see no occasion for any higher salaries. The Revenue Survey Commissioners should correspond with the Secretary to Government in the Revenue Department, or with any other superior revenue authority that may be hereafter appointed.

I have the honor to be, &c.,

(Signed) H. W. REEVES,
Revenue Commissioner, Southern Division.

(True Copy)

J. D. INVERARITY,
Acting Chief Seccretary to Goverrnment.

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No. 583 of 1857.

REVENUE DEPARTMENT.

FROM

H. YOUNG, ESQUIRE,
Officiating Chief Secretary to the Government of Bombay,

To

C. BEADON, ESQUIRE,
Secretary to the Government of India.

Dated Bombay Castle, the 7th February 1857.

SIR,

MR. A. ROGERS, of the Civil Service, having returned from the Furlough to England for one year, which was granted to him on the 16th November 1855 and of which he availed himself on the 3rd February following, has been re-appointed to the office of Settlement Officer in Guzerat, which he held before leaving India, and which was left unfilled during his absence, on the understanding that he should resume its duties on his return.

2. Mr. Rogers was originally appointed Settlement Officer in Guzerat on a salary of Rupees 1,000 per mensem, with district travelling allowance for the whole year at

Rupees 300 per mensem; and shortly before he proceeded to England on Furlough, his salary was raised to Rupees 1,400 per mensem in addition to travelling allowances, as his standing in the Civil Service required that he should be placed, in point of emolument, on the same footing as a Sub-Collector. The Government of India sanctioned* this arrangement, but for one year only.

3. While Mr. Rogers was Settlement Officer in Guzerat, the office of Superintendent of Survey in that Province was filled by Captain Fanning, who received the same rate of emolument, aggregating, with net military pay, Rupees 1,196-12-0,† as is enjoyed by the Superintendents of the Southern Mahratta Country and the Poona and Tanna Surveys.

4. But the Superintendents of the Poona and Tanna Surveys perform, in addition to the supervision and control of the measuring and classifying establishments, the duty of Revenue Settlement. This duty is by far the most difficult of those which appertain to their office, and its performance requires the most minute local information and a clear comprehension of the circumstances connected with the agriculture of the district and the facilities for disposing of the produce of the soil afforded by neighboring markets.

5. His Lordship in Council is of opinion, that it is quite unnecessary that a Superintendent of Survey, who is relieved by a Settlement Officer from the performance of the responsible and difficult duty above referred to, should be remunerated on the same scale as a Superintendent who performs those duties; and that when the Settlement Officer is of a standing which involves the necessity of a large salary, the obligation to diminish the Superintendent's salary becomes the more urgent.

6. The aggregate salaries and allowances of the Settlement Officer and the Superintendent of Survey in Guzerat amounted, when Mr. Rogers vacated the former appointment, to Rupees 2,918-15-6, of which that Officer received Rupees 1,722-3-6 and Captain Fanning Rupees 1,196-12-0. Captain Fanning is about to retire from the service, and the duties of Superintendent are at present performed, as a temporary arrangement, by the Senior Assistant Superintendent in the Guzerat establishment.

7. With the limited responsibilities attaching to the Superintendentship of the Guzerat Survey, the salary and allowances as per margin would, in the opinion of the Governor in Council, provide ample remuneration for the Superintendent, and would admit of a salary of Rupees 1,700 being allowed to Rogers, with travelling allowance of Rupees 300 per mensem, without incurring any expenditure additional to what has been already temporarily sanctioned by the Government of India. To this arrangement, therefore, I am directed to solicit the

Salary	600
Travelling Allowance	150
Office Tent, &c.	75
	825

* See Mr. Under-Secretary Dalrymple's Memo. No. 472, dated the 7th April 1855, with accompaniment.

† Salary	600	0	0
Travelling Allowance	300	0	0
Assistant Collector	100	0	0
Military Pay	121	12	0
Office Tent and Establishment	75	0	0
	1,196	12	0

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sanction of the Supreme Government for so long as this Government may think proper to retain Mr. Rogers in the appointment to which he has now been re-nominated.

8. I am to add, that by appointing Mr. Rogers as Settlement Officer in Guzerat, he will be able, in the ensuing hot weather, to undertake the enquiry into the claims of the Thakoor of Bhownuggur and thus supersede the necessity for the appointment of a special officer for the duty, on the salary of a 1st Assistant Collector, as proposed in Clause 5 of paragraph 9 of my letter of the 31st ultimo, No. 416.

I have the honor to be, &c.,

(Signed) H. YOUNG,

Officiating Chief Secretary to Government.

(True Copy)

H. YOUNG,

Officiating Chief Secretary to Government.

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No. 151 OF 1857.

FROM

W. A. GOLDFINCH, ESQUIRE,

Collector of Sholapoor,

To

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of

Civil Salaries and Establishments.

Madras, Sholapoor Collector's Office, 9th March 1857.

SIR,

IN reply to your letter No. 777, dated the 13th ultimo, calling for information as to the results of the Revenue Survey in diminishing the work devolving on the revenue establishments, and enquiring whether there is a probability of a still further diminution by the extension of the survey, I have the honor to inform you that the whole of this Collectorate, with the exception of a very few scattered villages lately lapsed to Government, has been surveyed and assessed, so that no further diminution of work is to be anticipated.

2. I hardly know how I can make intelligible the effect of the survey in diminishing the work to one who is not acquainted with the details of the system here in force, by which every individual field in the country has to be visited and inspected every year.

3. Before the introduction of the survey, there were no boundary marks or any distinguishable limits to fields ; consequently there were constant encroachments on Government waste lands, which it was very difficult to detect or prevent. It may be readily imagined what a mass of correspondence, complaints, charges, and counter-charges, &c., must have arisen from the yearly struggles between the Government Officer and the villager—the one to detect, the other to conceal, fraudulent cultivation. The survey has effectually put a stop to concealed cultivation and its results in the shape of labor to the district establishments.

4. Before the survey and assessment, the cultivators were led to expect remission as a right, whenever a failure or partial failure of their crops occurred. It is very seldom, indeed, that some crops in some villages in a district are not more or less deficient; each man who could muster any thing like an excuse to demand remission would give a petition that his crop might be examined and estimated. This examination and estimate devolved upon the mamlutdar or one of his principal subordinates who had to visit in person every single field about which a petition had been made; and as these would vary in number, from hundreds in a moderately good to thousands in a bad season, the abolition of this remission-giving system afforded very great relief to the district establishments, for it was not the actual inspection of crops which gave so much trouble, but the innumerable complaints, more or less well-founded, of injustice, fraud, favoritism, and spite, from those men who were disappointed in the amount of remission they received; the inquiries into which contributed very much to swell the duties of the whole revenue establishment.

5. It would be tedious, however, to go through each item of work which has been simplified, or entirely obliterated by the operation of the survey. It may be sufficient to say that, whereas before everything in connection with the size and consequent assessment leviable on each field of the many thousands included in a district was vague and uncertain, now it is the reverse. The limits of a field are distinguishable at a glance, and the assessment leviable upon it fixed and invariable.

6. The effects of the survey then in diminishing work may be said to consist directly in having made easily accessible information, which, previous to its introduction, could only have been procured by constantly recurring laborious measurements and enquiries, and indirectly having effectually closed numerous openings for the commission of fraud and injustice, and thereby removed the seeds of a never-failing crop of complaints, squabbles, and altercations, the inquiries into and disposal of which formed no inconsiderable portion of the work of the district establishments.

7. The indirect effects of the survey, so far as the diminution of work is concerned, are more valuable than the direct, because nearly the same duties are now required at the hands of the subordinate revenue servants as before; the only difference being that now they must do their duty, because any neglect or misconduct in connection with it can be easily detected and punished: formerly it was not so, and superintending officers were dependent upon their subordinates, who, in the uncertainty and confusion which existed in matters connected with the revenue, could, and of course did, shirk and neglect a great part of the work they were supposed to do. Thus the direct effect of the survey is not that the actual work performed is less, but the contrary. I believe its effect on the work is on a parallel with its effects on the revenue, there being a reduction in the nominal amount of both, but an increase in the actual realization.

8. The indirect relief afforded to the revenue establishments is very great indeed, but, as I conclude your enquiries on this subject are made with a view to a reduction of establishment, I venture to remark that you will be likely to arrive at a very erroneous conclusion regarding the amount of work devolving upon the revenue establishments, by supposing that it is the same now as it was before the survey—less the simplicity and accuracy gained by the operation of that measure. The actual state of the case is very different, for besides the natural tendency of work to increase within the last few years, many causes have combined to increase that of the local offices. The working of Act XI. of 1843 alone gives rise to a great amount of correspondence that could well be spared, whilst

the formation of new departments of control, such as Commissioner of Police, Inams, &c., are any thing but a relief to the local departments, for each new office depends upon the district establishments for the materials, in the shape of information, which it works up, and becomes another claimant for reports, returns, explanations, &c., which have of late years multiplied exceedingly.

9. The survey, the appointment of Superintendent of Police and Inam Commissioner, have very materially reduced the work of the European officers in a Collectorate, but have decidedly increased that of the native portion of the establishment, which, I have no hesitation in asserting, is now barely equal to the demands made upon it.

I have the honor to be,

SIR,

Your most obedient servant,

W. A. GOLDFINCH,

Collector.

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No. 1937 OF 1853.

TERRITORIAL DEPARTMENT, REVENUE.

COPY OF THE RESOLUTION* passed by Government, under date 31st March 1853, on the documents noted in the margin, on the subject of the proposed survey and assessment of the Rutnagherry Collectorate :—

1. From the Revenue Commissioner, S. D., No. 3173, dated 29th December 1852, with accompaniments from the Collector of Rutnagherry and the Revenue Survey Commissioner.
2. From the Revenue Commissioner, S. D., No. 57, dated 6th January 1853, with accompaniments.
3. From the Collector of Rutnagherry, No. 150, dated 3rd February 1853, with accompaniments.

1. The Report by Captain Wingate contains proposals for a Revenue Settlement of the Rutnagherry Collectorate, which would define the parties who are to be considered for the future the occupants of lands having direct relations with Government in Koolargee and Kotee villages, and the nature and extent of the rights of the Khote.

2. The opinion of Government as to the suitableness of the plan of settlement now proposed is greatly strengthened by its having been approved of, in nearly all its details, by Mr. Coles, whose observations show that he has very carefully considered the subject, and brought to its elucidation an intimate knowledge and large experience of the rights and tenures existing in his Collectorate, and of the feelings and requirements of the people.

3. The only modification, Mr. Coles considers desirable, regards the provision for the joint responsibility of Dharekurrees for the Wurkus land. Government are inclined to adopt Mr. Coles's view, the point should be re-considered when carrying the settlement into effect.

4. Government approve of the general principles of the settlement, and think that the Survey Commissioner should be required to draft an Act to enable Government to carry it into effect.

* Communicated to the Revenue Commissioner, Southern Division, and the Collector of Rutnagherry.

5. The main difficulty is connected with the definition of the rights of the khotes and ryots of their villages. Mr. Coles agrees with the Survey Commissioner in considering the rights of the khotes to be limited to the revenues of the village lands and not to amount to a property on the lands themselves.

6. This view of the case is also borne out by the opinions of the Revenue Officers, recorded in the correspondence which accompanied Captain Wingate's former Report of 30th January 1851, No. 44.

7. Mr. Courtney, while apparently admitting that the original position of the khotes may have been what is stated, argues that we cannot altogether overlook or disregard their position at the present day, when they have acquired a "sort of prescriptive right to "something more than the narrow limits by which the original wuttun may have been "circumscribed;" and that as he believes khotes themselves "in most cases claim to be "considered hereditary landholders," he questions "whether, before Government pledge "themselves to consider them no more than mere hereditary farmers of revenue, it would "not be advisable formally to call on them to prove their right to be viewed in any other "light."

8. The proposed settlement appears to provide sufficiently for this view of the case, as the khotes are to be confirmed in the occupancy of all lands to which they can prove their title.

9. The settlement, moreover, proposes to assign to them 10 per cent. "malekhana," as it would be termed in the North-Western Provinces,* in lieu of all pre-existing rights and usages which are not recognized by the settlement. Past practice with regard to the abolition of objectionable customs and imposts in khotee villages did not recognize the right to any compensation.

10. It is likewise to be recollected, that ryots of khotee villages also claim a right of property in the lands they occupy, and as far as weight of authority goes, with greater justice than the khotes, any settlement must be in the nature of a compromise, and the one now proposed seems abundantly liberal to the khote, and is likely to raise rather than lower the value of his wuttun.

11. As regards the question, whether Act XI. of 1843 empowers the Collector to require the khotes of a village to appoint a single manager, Government agree with Mr. Coles in opinion, that it will be better to provide for the enforcement of such an arrangement in the enactment, which it will be necessary to pass, to enable Government to introduce the proposed remedial measures into Rutnagherry.

12. Mr. Coles may be permitted, should he deem it advisable, after considering Mr. Courtney's observations,† to make the experimental settlement of the three villages, as suggested by the Survey Commissioner and considered feasible by himself.

13. Government do not participate in the hope expressed by Mr. Coles, that the sacrifice of revenue likely to be entailed by this settlement will be to any extent

* See Regulation VII. of 1822 and Regulation IX. of 1833, Bengal Code.

† Mr. Courtney suggested that it was of importance not to risk an opposition in the outset, which the existing law would be powerless to overcome.

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compensated by an increase of revenue from extended cultivation, and Government agree in the view* taken on this point by Mr. Courtney in paragraph 14 of his letter.

14. Government, as well as the Honorable Court, have frequently expressed their desire that a settlement should be made, the increase of the revenue was never anticipated, the chief object of the measure was to place on an equality the inhabitants of Rutnagherry with the rest of the Honorable Company's subjects in respect of taxation, and to recover a large body of cultivating class from a state of thraldom and an insecurity to tenure at variance with the ideas of the present age and incompatible with social progress.

(Signed) H. E. GOLDSMID,

Secretary to Government.

(True Copy)

J. D. INVERARITY,

Acting Chief Secretary to Government.

* *Viz.*, that from certain circumstances mentioned in Captain Wingate's former Report, there was little room to anticipate such a result.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

APPENDIX No. 528

Survey and Settlement of Bombay.

No. 75 of 1857.

FROM

LIEUTENANT A. COWPER,

Superintendent Revenue Survey and Assessment,

Guzerat, in charge Settlement Officer's Office,

TO

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of Civil

Salaries and Establishments throughout India.

Settlement Officer's Office, Surat, 1*st July* 1857.

SIR,

IN the absence of Mr. Rogers, the Settlement Officer, who has been appointed Acting Collector of Broach, I do myself the honor to acknowledge receipt of your letter No. 1056 of 1857, dated 12th June, and in reply to the first paragraph would beg to inform you, that an answer, with accompaniments marginally noted, has already been transmitted to your address. Some considerable delay has taken place in furnishing the required information, owing to the necessity of referring the subject of classification to the officers in executive charge of that branch. I may here take the opportunity of correcting what I believe to have been a misapprehension on Mr. Rogers' part of the concluding portion of your letter No. 923 of 1857. It appears to me that it is your wish to know on whose judgment the standard of classification is dependent, or, in other words, whose judgment is to be considered final, in event of any doubt concerning the nature of soils. This is undoubtedly the Superintendent of the Survey, when that officer is practically acquainted with the subject. The standard of classification in the above case depends upon his judgment, and he satisfies himself during the fair season, by accompanying his Classing Assistants into the field, that the classification is proceeding uniformly. If, however, the experience of the Superintendent be not sufficient to enable him to trust to his own unaided judgment, it is usual, in accordance with Government resolution marginally noted, to take some opportunity of bringing his Classing Assistants together during the fair season, and directing them to examine all the different varieties of soil together, so as to make their judgment uniform. In this latter case, the united judgment of the Assistants may be considered as the standard, though this system is of course hardly so satisfactory as when the single judgment of the Superintendent is depended on.

Mr. Rogers' letter No. 68, dated 10th June 1857.

No. 5132, dated 11th December 1855.

2. I would beg to observe, in connection with the 2nd paragraph of your letter No. 1056, that the survey, classification, and assessment of survey fields are under the Superintendent, and the settlement only is done in the Settlement Office; the entire executive of the survey being in the hands of the former officer, and the duties of the latter being nearly purely deliberative. The land is first measured into fields according to the system

laid down in the printed rules for the guidance of the native establishments, and boundary marks erected to define the limits of survey numbers. To prevent any errors in the position of fields on the measurer's map, he is required to plot his work every day, immediately upon his return from work. He also makes notes in his rough field-book, whilst at work, of the relative position of each field to the preceding one measured. Mistakes of misplacement, consequently, rarely, if ever, happen. The boundary marks, which are chiefly earthen mounds, are periodically repaired, so that when the classification of soils commences, which is a separate branch of the survey, usually taking place one or two years after the measurement, the situation of the survey fields is easily determined on, the boundary marks being sufficient to point these out. The men engaged in classing are, or ought to be, old measurers, and it is part of their duty to correct the mistakes of the measurer. So gross an error, however, as the misplacement of a field, very rarely takes place. Upon completion of the survey operations in a district, the settlement is taken in hand, and the Settlement Officer arranges at the jummabundee for the introduction of the revised rates with the ryots for each survey field separately, thus furnishing a further check upon misplacement. After the survey operations and settlement of a district are concluded, the village officers, under the superintendence of the district mamlutdar, are responsible for the due repair and maintenance of the boundary marks, and are furnished for this purpose with lithographed village maps filled in with conventional signs for the boundary marks. They find, I believe, no difficulty in tracing the survey numbers in the field ; a few cases may sometimes occur, when the survey fields, through a clerical error, have been wrongly numbered on the map ; but this is easily corrected.

3. One of the more obvious advantages* of the course here pointed out would be the saving of the entire expense of the Settlement Office, which, in this survey, is nearly one fourth of the yearly outlay. The separation of the settlement and executive duties is, of course, open likewise to all the usual objections urged against double superintendence ; two sets of records, many of the same nature, have to be kept ; delay and mistakes are liable to take place in references and correspondence, &c. There are at present only four Superintendents of full strength on this side ; and of these, on three surveys, the Tannah, Southern Mahratta Country, and Khandeish, the entire operations, both deliberative and executive, are in the hands of a single officer. But in the Guzerat Survey a different system prevails, in explanation of the reasons which have led to which, I would beg to submit transcript of Captain Wingate, late Survey Commissioner's letter marginally noted, and Government Resolution, &c., thereon. That officer appears to consider the circumstances of Guzerat are such as to require a Settlement Officer as a distinct appointment, and Mr. Rogers' experience of the Province of Guzerat, having been employed here for many years as Assistant Collector, pointed him out as the most eligible thereto. For Madras, it would of course be possible, as has been proved by experience in most of the Bombay Surveys, to combine the two, were the Surveyor well informed of the nature of the land tenure, condition of the ryots and village communities, and other subjects which devolve on a Settlement Officer.

No. 180, dated 2nd April 1853.

4. Although I am, of course, nearly completely ignorant of the nature of the tenure of land in Madras, yet perhaps the system by which the Revenue Survey has been extended in the Bombay Presidency may offer some points worthy of consideration. When a great extension of survey operations was decided on, Captain Wingate was

* 3rd paragraph Mr. Ricketts' letter.

deputed to the Province of Guzerat and Khandeish and the Collectorate of Rutnagherry, to determine upon the plan of operations. His opinions on these subjects were submitted in the form of Reports to Government, and of these, that on Khandeish, which has been printed, I can state, from my own experience, has been of the greatest use; the system laid down in it being adhered to up to the present time. An experienced Assistant, with a few good measurers and classers as a nucleus, was then sent to commence operations.

5. I trust you will excuse my making the few following remarks concerning Indian Revenue Surveys, although they may not have been specifically called for. The system obtaining in the North-West appears to be valuable in a topographical, as well as in a revenue point of view, but it may well be questioned whether, in the latter-mentioned connexion, it can be compared in utility with the Bombay system. At page 524 of the *Manual of Surveying for India* are the following remarks:—"There are some points "connected with their (the Bombay) mode of conducting the khusree, especially as "regards the permanent fixture of the boundaries, and the completeness and suffici-"ency of their law, and consequent understanding with the people, which might be fol-"lowed with advantage." Although not in possession of any late compilation of Captain Priestly, who is, I believe, the Chief Revenue Surveyor on the Madras side, yet I believe that the system of erecting boundary marks between the different survey numbers does not obtain, an omission which may, and probably will, in course of time, render the survey useless and destroy its value as a record of the state of the country at the time of its introduction. About 30 years ago a Revenue Survey was made of British Guzerat by several able Survey Officers, which lasted from 1819 to 1841. It was in many respects well executed, the village maps being specially finely finished. The system pursued was that of a traverse survey round each village by means of the theodolite. No permanent marks were erected on the boundaries of villages or survey number, and the survey, which was very costly, is now allowed on all hands to be entirely useless in a revenue point of view, and nearly so for topographical purposes. The same arguments which render necessary the erection of boundary marks round each village are also applicable to their erection round survey numbers. In the North-West Provinces permanent marks only are made round the entire village lands, and the interior arrangement of numbers is liable to alter and render the maps useless by the encroachment of cultivation on waste land, and the richer cultivators on the poorer, &c., &c. This cannot take place under our system, unless under the newly impossible supposition of the removal of all the boundary marks. In the Collectorate of Sholapore and some other portions of the Bombay territory, 20 years have elapsed since the survey took place, and its records are at the present time as valuable as when first executed, the survey numbers having been rigidly maintained. In the event of boundary marks having been removed, the original fields can be laid down again with exactness, owing to the number of permanent marks which abound on all sides of every survey number. But were there no interior boundaries, as in the North-West system, the nearest permanent marks to start from would most probably be too far away to permit of the number in dispute being again laid down, more especially when the very loose system of filling in the interior details of the khusree is taken into consideration. In establishing a system for Madras, it is much to be desired that the experience which has been gained both here and in the North-West should be made available, in order to secure the advantages of both, and at the same time to avoid their defects.

6. As far as is practicable, the classification should be carried out with as great accuracy as the measurements of fields. If the former of these be carried out in a rude

manner, it is evident that the assessment of each field will partake of the same character, however carefully the measurements may have been executed.

7. On Indian surveys, almost every object, such as trees, hedges, wells, houses, &c., being laid down, they may be made of great topographical value by being conducted upon correct principles, and too much attention can hardly be given to this prior to Government sanction being accorded to the commencement of a survey. It has been objected to the Bombay system, that it gives no results of any value topographically, but as a revenue arrangement its principles seem well worthy of consideration. The revision of the land revenue, by means of which all objectionable imposts connected with the land are got rid of and merged into one cess, as well as the revision of the duties and emoluments of the district and village officers, have been so well performed and attended with so much benefit to the country, that it is to be hoped that these objects will form an essential part of any revised system which may be introduced into Madras.

I have the honor to be,

SIR,

Your most obedient servant,

A. COWPER, *Lieutenant,*

Superintendent Revenue Survey and Assesment Engineer, in charge Settlement Officer's Office.

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No. 68 OF 1857.

FROM

A. ROGERS, ESQUIRE,

Settlement Officer in Guzerat,

To

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Madras Settlement Officer's Office, Surat, 9th June 1857.

SIR,

I HAVE the honor to acknowledge the receipt of your letter No. 923, dated 15th April last, and in reply to forward a letter from Mr. H. Bulkley, Assistant Superintendent on the Guzerat Survey, on the subject of the system of classification of soils carried out in the department. The delay in answering your letter has taken place from my having waited for a reply from the Superintendent to a reference made to him upon the subject.

2. Mr. Bulkley has explained the details of the system of classification, but has not shown how far the theory laid down in Sections 42 to 45, at pages 10 and 11 of the Survey Joint Report, has been adopted in Guzerat. The late Superintendent, Captain Fanning and myself, with Captain Wingate's concurrence, arranged the soils of Guzerat,

for the purpose of classification in the same manner as that laid down in Section 42 of the Joint Report, placing the black cotton soil in the first order and the light colored and more sandy soil of the country, commonly called "Gararoo," in the second order. As a general rule, the latter soil is considered the more valuable, but actual experience in the field taught us that that result could only be attained by the expenditure of a considerable amount of labour and capital on the soil, and that its intrinsic qualities ranked it lower in natural fertility than the black, which, as a general rule, requires neither artificial irrigation nor manure. The system has been found to work admirably in the Ahmedabad Collectorate, to which our operations have as yet been confined, but it is of course liable to modification if we find it unsuited to the soil of any particular part of the country.

3. With the above exception, and that of another "fault" in the soil, that of salt or certain compounds of soda, apparently unknown in the Deccan and Southern Mahratta Country, having been added to the list of page 11 of the Joint Report, the classification of dry crop and rice lands in Guzerat is carried out in practice according to the theory laid down in that Report. With reference to land irrigated from wells, I have found it necessary to depart from the theory of classifying garden lands as therein laid down, and to classify all, except rice land, which is embanked and generally used for no other kind of cultivation, as dry crop, and to place a separate assessment on the "koss" or water-bag of a well when used. The necessity arose from the liability of the water of all wells in certain parts of the country to become so saltish as to be useless for the purposes of irrigation, as well as from the rights of certain fields to the use of water from certain wells being very seldom properly defined.

4. With reference to assessment, the details of which are carried out under my own superintendence, the theory is that universally adopted in the Bombay Surveys, of fixing a maximum rate of assessment for each district upon general considerations, such as those mentioned in Section 70 of the Joint Report, and from that rate others suitable to the different classes or groups of villages contained in the district. The rates of assessment for each field I myself fix from these, according to the relative values shown by the classification returns and general position of the fields, and the number of the latter for which I can do. This must of course depend upon the time I can spare from other business. I have, however, frequently done more than 2,000 fields in a day.

5. The calculation of the assessments thus fixed per acre on each field, according to its area, devolves upon the members of my establishment, who can each generally calculate, from tables provided for the purpose, from 2 to 300 numbers during the day. Besides other methods of checking these calculations, I generally test from 15 to 25 per cent. of the fields assessed, so as to make certain that no kind of fraud attempted could remain undiscovered.

6. The officers who actually in practice decide primarily on the classification of soils are undoubtedly the native classers, of whom 20 form generally a full establishment under charge of an Assistant or Sub-Assistant. They are, however, so tied down by rule to the observance of the system of classification laid down for their guidance, and the faults in the soil by which their decision on the relative values of fields is to be regulated must be so palpable as not to be overlooked in a simple examination with the naked eye, that they have but little liberty of action left them, if the tests taken by the superintending Assistants are sufficiently large and well judged.

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7. If the above remarks and those in Mr. Bulkley's letter do not afford you sufficient explanation, I shall be happy to furnish you with any further information in my power.

I have the honor to be,

SIR,

Your most obedient servant,

A. ROGERS,

Settlement Officer in Guzerat.

No. 4 OF 1857.

FROM

H. BULKLEY, ESQUIRE,

Assistant Superintendent Revenue Survey and Assessment, Guzerat,

TO

LIEUTENANT A. COWPER,

Superintendent Revenue Survey and Assessment, Guzerat,

Surat, 2nd June 1857.

SIR,

WITH reference to Mr. Ricketts' letter No. 923, to the address of the Settlement Officer, Guzerat, dated 13th April 1857, I do myself the honor to report as follows, premising that the delay that has unavoidably occurred in furnishing you with the information required arose from my having only just returned from a month's leave on sick certificate to Bombay :—

2. Mr. Ricketts wishes to be informed "how the work of classification and assess-"ment is actually performed in practice, and how far it has been found in practice necessary "to depart from strict observance of the theory." I have, as you are aware, lately been transferred to the charge of a classing establishment, but I have had every opportunity of observing the mode in which the duties are carried on in the field ; and the result of my observations is that the practice and theory assimilate in every way. The mode in which classification is performed in the Guzerat Survey is as follows. Holes are dug in fields at the rate of one hole in every 2 acres, but this standard is very frequently exceeded. In fields of small area, and where doubt exists in the classer's mind regarding the quality of the soil, extra holes are dug, so that a very careful estimate is arrived at regarding the relative value of soil in every survey number : the crow-bar is or should be thrown in every hole dug to the full depth of 1¾ cubits. The Carcoons are severely fined when detected omitting this necessary part of their duty. Wells, tanks, and other sources of irrigation are submitted to a searching scrutiny. Returns are furnished by the classers regarding the population, natural products, and resources of every village, and a mass of statistical information on other subjects is collected by them. In a word, and to reiterate what I have already stated, I have not observed any deviation in practice from the theory of classification as laid down in our Rules and Circular Orders from the Superintendent's office. As far as I have been able to judge, the classers have as much work as they can possibly accomplish daily, provided they perform their duties properly in the field and at home.

APPENDIX No. 529

Survey and Settlement of Bombay.

3. The classification test is conducted on the principles mentioned above, and a full 10 per cent. test of the Carcoon's work is usually taken, which amount is as great as any superintending officer can efficiently undertake with an establishment of the regulated strength and in full working order.

4. With regard to the number of acres and holdings (or as I conceive Mr. Ricketts to mean *numbers*, for we do not, as you are aware, recognise "holdings" in our operations) which "can on an average be classed by one person in a day," I beg to observe that it is impossible to lay down any fixed average, so much depending on the size of survey numbers, the general features of the country under classification, and, lastly, the accuracy or otherwise of the measurer's work. In an enclosed or irrigated district, where the fields are, comparatively speaking, small, a greater amount of numbers but fewer acres will be classified than in an open or dry crop country, where they are much larger; and the operations in either case must necessarily be effected by the errors discovered in measurement, and which the classers are obliged to correct. In support of my opinion on this point, I beg to exhibit the averages of the two seasons immediately preceding the current one, a return of which I am unable at present to furnish, as the classification is still in progress. In 1854-55, the establishment of which I have present charge classed a portion of the Dholka Pergunnah and the following year in Dhundooka: the size of fields in the first-named pergunnah is much less than in the other, and in many of the Dholka villages a considerable amount of irrigated land exists, which is not to be found in Dhundooka at all. The two seasons' averages are as follows. In 1854-55 ten numbers and 51½ acres were classed daily. In 1855-56 the average was 8 numbers and 113 acres. Not having yet held charge of a classing establishment at work in the field, I have not had an opportunity from personal observation of forming an opinion with regard to a fair average day's work; but I should say, that from 8 to 12, or even 14 numbers, is as much as most Carcoons can accomplish efficiently, the amount of acres of course being regulated by the size of numbers.

5. In conclusion, "the officers who decide primarily on the classification" are in my opinion the several Superintendents of classing establishments, who by test satisfy themselves of the accuracy of their Carcoons' work.

I have the honor to be, &c.,

(Signed) H. BULKLEY,

Assistant Superintendent Revenue Survey and Assessment, Guzerat.

(True Copy.)

A. ROGERS,

Settlement Officer in Guzerat.

COST of the Survey, as exhibited in the Progress Report of the Superintendent Revenue Survey, S. M. Country and Sattara, for the year ending 31st October 1855.

Years.	Total area arable and unarable. Measured. Acres.	Measured. Cost per acre	Classified. Acres.	Classified. Cost per acre.	Cost of both operations per acre.	Total cost of Survey.	Remarks.
From Sept. 1841 to 31st Dec. 1842	.....	.....	.....	.....	.....	49,807 0 0	The Survey here referred to was conducted in the Dharwar, Belgaon and Sattara Collectorates.
" 1st Jan. 1843 to 31st Oct. 1844	5,80,289	0 2 2	2,82,226	0 1 6	0 3 8	1,06,496 0 0	
Year ending 31st October 1845	3,72,715	0 2 7	3,83,933	0 0 11	0 3 6	84,842 0 0	
" " 1846	5,49,581	0 2 7	4,50,682	0 0 10	0 3 5	1,12,800 0 0	
" " 1847	5,69,152	0 2 11	5,17,730	0 0 9½	0 3 8½	1,30,671 0 0	
" " 1848	7,86,025	0 2 1½	4,68,452	0 0 11	0 3 0½	1,31,824 0 0	
" " 1849	8,69,036	0 1 8½	6,44,831	0 0 8¼	0 2 4¾	1,20,526 0 0	
" " 1850	10,85,118	0 1 5½	7,80,254	0 0 7	0 2 0½	1,27,488 0 0	
" " 1851	7,18,806	0 2 1¼	8,16,986	0 0 6½	0 2 7¾	1,22,397 0 0	
" " 1852	4,72,357	0 2 7¾	6,78,682	0 0 7¾	0 3 8½	1,05,550 0 0	
" " 1853	8,42,804	0 1 9	6,15,534	0 0 8¾	0 2 5¾	1,20,987 0 0	
" " 1854	7,45,684	0 1 11½	4,66,351	0 0 11	0 2 10½	1,18,665 0 0	
" " 1855	6,65,891	0 1 9¼	7,15,808	0 0 8½	0 2 5¾	1,05,334 0 0	
	82,57,458		68,21,469			14,39,387 0 0	

COST of the Survey, as exhibited in the Progress Report of the Superintendent Revenue Survey, Poona, for the year ending 31st October 1856.

Years.	Total area arable and unarable. Measured. Acres.	Measured. Cost per acre,	Classified. Acres.	Classified. Cost per acre.	Cost of both operations per acre.	Total cost of Survey.	Remarks.
1850-51	1,10,921	0 0 0	1,37,278	0 0 0	0 2 7	44,345 0 0	My records do not show details for the years preceding 1850-51. The Superintendent of Poona and Tanna Surveys has been requested to supply them, but as some time will be occupied in their preparation, I think it inadvisable to wait for the information, Mr. Ricketts apparently being unable to give me more time.
1851-52	1,44,188	0 0 0	2,56,667	0 0 0	0 2 0	50,668 0 0	
1852-53	54,365	0 4 7	2,26,698	0 0 11	0 1 7	28,657 7 10	
1853-54	1,09,765	0 1 3	1,10,142	0 1 3	0 2 6	17,744 15 3	
1854-55	78,873	0 1 8	63,131	0 1 8	0 3 4	11,643 5 9	
1855-56	72,281	0 2 9	18,517	0 0 4	0 3 1	12,898 7 5	
	5,70,393		8,12,433			1,65,960 4 3	

COST of the Survey, as exhibited in the Progress Report of the Superintendent Revenue Survey, Ahmednuggur, for the year ending 30th September 1856.

Years.	Total area arable and unarable. Measured. Acres.	Measured. Cost per acre.	Classified. Acres.	Classified. Cost per acre	Cost of both operations per acre.	Total cost of Survey.	Remarks.
1838-39	.....	.....	.....	.....	.....	33,859 0 0	
1839-40							
1840-41							
1841-42	1,12,305	0 1 8	1,15,647	0 1 3¼	0 2 11¼	20,972 0 0	
1842-43	2,11,272	0 1 1	1,33,161	0 1 0¼	0 2 1¼	22,960 0 0	
1843-44	4,98,936	0 0 9¾	2,38,726	0 0 11	0 1 8¾	39,066 0 0	
1844-45	3,65,034	0 1 1¾	3,25,359	0 1 0	0 2 1¾	46,403 0 0	
1845-46	3,39,476	0 1 9½	4,11,421	0 0 11	0 2 8½	61,893 0 0	
1846-47	4,76,293	0 1 6	42,058	0 0 11	0 2 5	69,410 0 0	
1847-48	4,10,374	0 1 8	3,67,586	0 1 6	0 3 2	79,241 0 0	
1848-49	4,94,574	0 1 6¼	4,45,308	0 1 1½	0 2 7¾	78,503 0 0	
1849-50	4,78,888	0 2 3	4,64,937	0 1 0	0 3 3	96,367 0 0	
1850-51	4,34,730	0 2 11	4,49,880	0 1 2	0 4 1	1,11,313 0 0	
1851-52	3,94,067	0 3 5	4,47,746	0 1 2	0 4 7	1,18,912 0 0	
1852-53	24,505	0 0 5¼	3,99,213	0 2 5	0 2 10¼	60,921 0 0	
1853-54	9,414	1 1 10	31,632	0 13 5¼	1 15 3¼	28,783 0 0	The high cost here is entirely owing to peculiar circumstances; lapsed villages scattered all over the Collectorate had to be surveyed. Numerous survey fields, of a size too large for convenient management, had to be split up. Boundary disputes between the Nizam and Government frontier had to be settled, and the Nuggur Survey had to be regularly wound up, which occasioned much desk-work.
1854-55	35,683	0 6 11¾	11,105	0 13 5	1 4 4¾	24,898 0 0	
1855-56	1,08,049	0 3 2¼	51,004	0 1 6¾	0 4 9	26,627 0 0	
	43,93,600		39,34,783			9,20,128 0 0	

COST of the Survey as exhibited in the Progress Report of the Superintendent Revenue Survey, Rutnagherry, for the year ending 31st October 1856.

Years.	Total area arable and unarable. Measured. Acres.	Measured. Cost per acre.	Classified. Acres.	Classified. Cost per acre.	Cost of both operations per acre.	Total cost of Survey.	Remarks.
1851-52	22,266 16 0	0 7 7½	... ...	... ...	... ...	10,628 11 6	The Survey in Rutnagherry was experimental for the first two years, and Government objected to apply for legislation as recommended by Captain Wingate; the consequence has been, as that Officer predicted, a failure.
1852-53	58,927 10 0	0 7 1½	9,550 8 0	0 5 11	0 13 7	29,812 5 9	
1853-54	1,61,534 37 12	0 5 4	21,907 17 0	0 5 10	0 13 1	61,945 0 5	
1854-55	2,61,821 39 8	0 3 5¾	46,916 8 0	0 4 9	0 8 2¾	70,887 7 6	
1855-56	3,83,123 25 0	0 2 11¼	65,608 8 8	0 3 6	0 6 5¼	84,916 8 8	
	8,87,674 8 4		1,43,982 8 0			2,58,190 1 10	

(True Copy)

J. D. INVERARITY,
Acting Chief Secretary to Government.

(Signed) H. REEVES,
Revenue Commissioner, Southern Division.

1839

STATEMENT showing the whole of the Revenue Survey and Settlement Establishments, as authorized by Government and as they now stand, with a Column showing the difference between the sanctioned strength and the number of Officers at present entertained.

Collectorates.	Revenue Survey and Settlement Establishments.							Difference between the Establishment authorized and as they now exist.				Remarks.
	Establishment authorized for each Survey.		Establishment as they now stand for each Survey.			Monthly Salary and Allowance.		More.		Less.		
	No.	Appointment.	No.	Appointment.	Ranks.			No.	Appointment.	No.	Appointment.	
Ahmednuggur.	1	Asst. Supdt. in charge	1	Asst. Supdt. in charge	Military	As Asst. Supdt. 500 0 0 Asst. Collector... 100 0 0 Travelling Allow. 300 0 0 Office Tent ... 75 0 0	975 0 0	...	... ...	...	...	Also receives net pay in addition from the Military Department, Rs. 60-14 per mensem.
	1						975 0 0					
Khandeish.	1	Superintendent	1	Superintendent	Uncovenanted ...	Superintendent . 600 0 0 Asst. Collector... 100 0 0 Travelling Allow. 300 0 0 Office Tent ... 75 0 0	1,075 0 0	...	... ...	...	...	Receives also batta at Rs. 3 per diem for eight months in the year.
	6	Assistant ditto	5	Assistant do.	1 Military ... 4 Uncovenanted.	... ... 500 0 0 2 @ 500 ... ... 1,000 0 0 2 @ 375 ... ... 750 0 0 Office Tent to 5 ditto @ 75 ... 375 0 0	2,625 0 0	...	... ...	1	Asst.	Receives also net pay in addition from the Military Department, Rs. 60-14 per month.
	2	Supernumerary Assts.	2	Supernumerary Assts.	Uncovenanted ...	@ Rs. 100 ... 200 0 0 Office Tent @ 75 150 0 0	350 0 0					

Khandeish.	2	Sub-Assistants	2	Sub-Assistants	1 Warrant ...	... ...	250 0 0					
					1 Uncovenanted	... ...	180 0 0					
						Office Tent @ 75	150 0 0					
								580 0 0				
	11		10					4,630 0 0				
Tannah and Poona.	1	Superintendent	1	Superintendent	Military	(As Khandeish)		1,075 0 0	...	... ...	...	...	Draws also net pay in addition from the Military Department, Rs. 121-12 per month.
					5 Military* ...	2 @ 500... ...	1,000 0 0	... ...	...	... ...	...	...	The Military Assistants draw net pay in addition of their respective ranks from the Military Department.
						3 @ 375... ...	1,125 0 0						
	6	Assistant ditto	7	Assistant ditto	2 Uncovenanted	1 @ 500... ...	500 0 0						
						1 @ 375... ...	375 0 0						
						Office Tent to 7 ditto @ 75 Rs.	525 0 0	3,525 0 0	1	Asst. Supdt. ...	...	...	* Three of these Assistants (Military Officers) are absent, one on duty as Acting Superintendent of Police, Rutnagherry, and two have been temporarily placed at the disposal of the Commander-in-Chief.
	2	Supernumerary Assts.	2	Supernumerary Assts.	Uncovenanted ...	@ 100 each ...	200 0 0						
						Office Tent to do. @ 75	150 0 0	350 0 0					
			1	Offg. ditto ...	Uncovenanted ...	As above		175 0 0	1	Offg. Supy. Asst.			
	2	Sub-Assts. ...	†3	Sub-Assts....	1 Warrant ...	... ...	250 0 0						
					2 Uncovenanted.	@ 180	360 0 0						
						Office Tent to do. @ 75	225 0 0	835 0 0	1	Sub-Asst.... ...	...	...	† One of these Sub-Assistants on sick leave.
			1	Supernumerary Sub-Assistant.	Uncovenanted ...	... ...	50 0 0						
						Office Tent ...	75 0 0	125 0 0	1	Supy. Sub-Asst. ...	...		Appointed to act for a Sub-Assistant who is absent on leave.
	11		15					6,085 0 0					

1841

Collectorates.	Revenue Survey and Settlement Establishments.							Difference between the Establishment authorized and as they now exist.				Remarks.
	Establishment authorized for each Survey.		Establishment as they now stand for each Survey.			Monthly Salary and Allowance.		More.		Less.		
	No.	Appointment.	No.	Appointment.	Ranks.			No.	Appointment.	No.	Appointment.	
Southern Mahratta Country.	1	Superintendent	1	Superintendent	Military	(As Poona and Tannah) ..	1,075 0 0	..	... ...	..	...	Receives also net pay in addition from the Military Department, Rs. 121-12 per month.
	6	Assistant ditto	6	Assistant ditto	4 Military ..	3 @ 500 each ... 1,500 0 0 1 @ 375 ... ... 375 0 0	... ...	..	... ...	...	...	Ditto ditto of their respective ranks ditto ditto.
					2 Uncovenanted	@ 500 .. ... 1,000 0 0 Office Tent to do. at 75 .. ... 450 0 0	3,325 0 0	..	... ...	...	...	Of these two Assistants (1 Military Officer and one Uncovenanted) are absent, one on sick leave to Europe, and one temporarily placed at the disposal of the Commander-in-Chief.
	2	Supernumerary Assts.	2	Supernumerary Assistants ...	1 Military ...	Allowance for Office Tent ... 75 0 0		.	... ...	...	...	Receives Military Pay and Field Allowances of his rank from the Military Department.
					1 Uncovenanted	Salary ... 100 Office Tent 75 175 0 0	250 0 0					
	2	Sub-Assistants	2	Supernumerary Sub-Assistants	Uncovenanted ..	1 @ 180 ... ... 180 0 0 1 @ 50 ... ... 50 0 0 Office Tentage @ 75 each .. 150 0 0	380 0 0					
	11		11				5,030 0 0					
Guzerat.	1	Settlement Officer .	1	Settlement Officer .	Civil Servant	Salary 1,700 0 0 Travelling Allow. 300 0 0	2,000 0 0					

Guzerat.	1	Superintendent	1	Superintendent	Military	(As Southern M. C.)		1,075 0 0	...	... ...	...	...	Draws also nett pay in addition from the Military Department, Rs. 70.
	7	Assistants or Sub-Assts.	5	Assistants ...	Uncovenanted ...	3 at 500 ... ... 1,500 0 0 2 at 375 ... ... 750 0 0		2,250 0 0	...	... ...	2	Assts.	
	3	Supernumerary Assts.	3	Supernumerary Assts.	Ditto	At Rs. 100 ... 300 0 0 Office Tent ... 225 0 0		525 0 0					
	2	Sub-Assistants	3	Sub-Assistants	Ditto	1 at ... ... 250 0 0 2 at 180 ... ... 360 0 0 Office Tent to do. at 75 ... ... 225 0 0		835 0 0	1	Sub-Assistant.			
			1	Supy. ditto ...	Ditto	... ... 50 0 0 Office Tent ... 75 0 0		125 0 0	1	Supernumerary Sub-ditto.			
	13		13					6,810 0 0					
Rutnagherry.	1	Asst. Supdt. in charge Revenue Survey ...	1	Assistant in charge Revenue Survey... ...	Military	As Asst. Supdt. 500 0 0 Additional Salary as in charge of service ... ... 200 0 0 Office Tent ... 75 0 0		775 0 0	...	... ...	...	...	Draw Military nett pay in addition of their respective ranks from the Military Department.
	2	Assistants ...	*2	Assistants ...	Ditto	1 at ... ... 500 0 0 1 at ... ... 375 0 0 Office Tent to do. at 75 ... ... 150 0 0		1,025 0 0	...	... ...	...	...	* One of these Assistants is placed temporarily at the disposal of the Commander-in-Chief.
			1	Sub-Assistant .	Uncovenanted ...	... ... 180 0 0 Office Tent ... 75 0 0		255 0 0	1	Sub-Asst.... ...	...	...	Under 3rd para. of Mr. Revenue Commissioner Reeves' letter to Government, No. 2876, of 17th September 1856, these Assistants to be removed and provided for in other Surveys.
			1	Supy. Sub-Asst.	Ditto	... ... 50 0 0 Office Tent ... 70 0 0		125 0 0	1	Supy. ditto... ...	...	...	
	3		5					2,180 0 0					

N. B.—The Military Officers, who are temporarily placed at the disposal of the Commander-in-Chief for Field Service, draw half of their Civil Salaries, provided they receive no Staff Salaries with the Army. Uncovenanted Assistants of all grades draw Batta agreeably to the Survey Rules.

BOMBAY,
24th February 1858.

A. K. CORFIELD,
Civil Auditor.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

1844

APPENDIX No. 553

Inam Commission, Bombay.

No. 1199 of 1855.

FROM

H. W. REEVES, ESQ.

Revenue Commissioner, S. D.

To

H. YOUNG, ESQ.,

Offg. Chief Secretary to Government,

BOMBAY.

POONA, REVENUE COMMISSIONER'S OFFICE, *2d May* 1855.

SIR,

I have the honor to submit the following report on the subject contained in the Resolution of Government forwarded to my predecessor, Mr. Courtney, under date October 22d, 1853, No. 2535.

2. A considerable time has, it will be seen, elapsed since the receipt of these papers, and Government may be surprised at the delay which has occurred in my acknowledgment of, and reply to them. I therefore beg to explain, that I have been awaiting the replies of the Collectors of this Division to the proposals of Captain Wingate for the settlement of the Hereditary District Offices, and as regards myself, I would respectfully solicit notice to the numerous important questions of a pressing nature which have passed through my hands during the last year, in explanation of any delay with which I may have been supposed chargeable.

Until the 23d January last.

3. Under date October 28th, 1851, Captain Cowper, Assistant Inam Commissioner, submitted a report to the head of his office on the personal Inams and Wuttuns enjoyed by the Hereditary District Officers of the Adoor Purgunnah of the Savanoor Talooka now chiefly situated in the Hangul Talooka of the Dharwar Collectorate. A considerable portion of the former possessions Captain Cowper found to be unauthorized, and the latter it was proved had been resumed by Tippoo Sultan, and not only had not been released by the Peishwa, but had by that ruler been specially replaced by a Potgee.

4. As connected with this case, Captain Cowper took up the question of the claims of the Hereditary District Officers in the Southern Mahratta Country and Sholapoor, and submitted a plan for the settlement of it, which met the approval of the Inam Commissioner, Mr. Hart, who described it as sound, politic and just, if Government adhere to their declared determination of treating the Potgees of Juptee Zumindars, and those whose Wuttuns have never been interfered with much in the same light, Mr. Hart thought that a very desirable object will have been attained, if all claims of this kind can be settled on one fixed principle, without interfering with general feeling, and without loss to Government.

5. The plan proposed by Captain Cowper is shortly this. He divides the Hereditary Officers into four classes.

1. Those whose Wuttuns have never been formerly resumed.

2. Those whose Wuttuns were formerly resumed and never restored, and to whom a Potgee was granted.

3. Those whose Wuttuns were formerly resumed and never restored, and to whom Potgee was ordered, but who did not receive it.

4. Those whose Wuttuns were formerly resumed and never restored, without any grant of Potgee or other allowance, or any apparent intention of such.

1846

APPENDIX No. 555

Inam Commission, Bombay.

After glancing at the policy of the Peishwa towards the Hereditary District Officers, Captain Cowper gave it as his opinion that,

1. Wuttuns of the 1st class held on good titles, must be continued hereditarily.

2. Potgees granted by the Peishwa in lieu of Wuttuns to be considered hereditary according to Government order, No. 6973, dated 5th July 1851.

6. Captain Cowper found that about quarter of the value of the estate was, it seemed, the average scale of Potgee granted by the Peishwa, a fourth then, or any other portion of the value of the estate, fixed at the amount of assessment being adopted, it is proposed to deduct the Iodee payable heretofore, and assessed value of authorized Inams, and the remainder to assess a certain sum in lieu of service, the officers of the 3d class receiving Potgees, those of the 4th retaining their Wuttuns.

7. This service tax Captain Cowper proposes to levy at 10 per cent. on each 500 Rupees of income in excess of a minimum, at or below which, nothing should be demanded. Fifty per cent. being the maximum leviable.

8. Applying this to the four classes, the 1st class Wuttuns never resumed would pay Iodee or any other usual sums, with the addition of any other amount indicated for service according to the scale.

9. Zumindars of the other three classes should be considered as in receipt of Potgee only, and from such Potgee, deduction should be made on account of service according to the scale, on the supposition of course that all Hereditary Officers in receipt of Potgee are liable for service.

10. Captain Cowper would give only prospective effect to these proposals, permitting all Zumindars now holding under titles which may hereafter prove defective, to continue to hold during their life time, and during such period, to remain exactly on the same footing, in regard to payment of Iodee, and on account of service, as those who hold under good titles whose Wuttuns descend to posterity. The Wuttuns, on demise of present holders, should lapse to Government, and a Potgee be given to the next heir, who would be liable to payment, on account of service only.

11. This plan was, in his report, applied by Captain Cowper to the Adoor Zumindar's Estate. In handing on, as deserving of attention, Captain Cowper's proposals, Mr. Hart stated, para. 9 of his letter to the Revenue Commissioner, dated 23rd February 1852, No. 446, "it is possible that some improvement in detail may be made in it, and "I would therefore suggest, that Government might advantageously consult on this sub-"ject, Captain Wingate, whose attention has already been turned to it, and whose survey "would be concerned in carrying it out, and in the meanwhile I respectfully beg to defer "the expression of any opinion on the subject, except that Captain Cowper has sufficient-"ly shown as regards the case especially under his consideration, that the Adoor Dessaees "have no just title to hold as Wuttuns, the emoluments claimed by them as such, but that "they have in equity a right to a Potgee as promised, and ordered for them, by the "Peishwa."

12. The views of Mr. Hart met with the concurrence of Mr. Courtney, then Revenue Commissioner, and also of Government, and Captain Wingate was directed in the Secretary's letter, dated 8th April 1852, No. 2466, to report the result of his enquiries, as to the value of the district Wuttuns of the Dharwar Collectorate, and furnish Government with returns, showing how he would apply the scheme marked out by Captain Cowper, with such modifications as seemed to him desirable. Captain Wingate was reminded that the principle of valuing the Wuttuns according to the Survey Assessment, and assigning a portion of the profits for the remuneration of service, had been already advocated by him, and approved of in the case of Patels and Koolkurnees by Government, as in strict accordance with the principles recognized by Act XI. of 1843.

13. Generally approving of Captain Cowper's scheme, Government excepted that portion of it, which provided for exemption from payment consequent on minimum profits, on this provision they deferred giving a decided opinion.

14. Captain Wingate was further directed to point out how the scheme might be worked out, so as to enable Mamlutdars and Mahalkurees of revised districts, to avail themselves of the services of the Hereditary Zumindars, in aid of the ordinary public business; and that officer's report on the Dharwar Hereditary District Officers, was expected to enable Government to decide upon a general scheme for the settlement of all Wuttuns of this class.

15. The reply of Captain Wingate to this call bears date 3rd June, No. 329, 1853. In it Government will observe that in reporting the result of his enquiries as to the state of the Dharwar District Wuttuns, Captain Wingate sets out by noticing the difficulties which oppose themselves to an exact and satisfactory valuation of the emoluments enjoyed by Hereditary District Officers. "We have no authoritative re-

Para. 10.

"cord of Inams held in these villages by other parties who have "not derived their titles from the District Officers. I have therefore been under the "necessity of accepting as correct the Zumindars' own statements of such alienations. Again, "part of the land entered in the Government accounts among the official emoluments of "the Wuttuns may be claimed as personal Inams, as in the case of those alluded to in the "first para. of Captain Cowper's report." A high degree of accuracy in valuation is not to be expected "until the investigations of the Inam Commissioner have determined what "amount of assessment has to be deducted from the survey rental of Inam villages on "account of alienated land, and how much of the Inam land held by District Officers in "Khalsat villages is to be considered as belonging to the Wuttun, and how much held a "personal grants." Notwithstanding this, however, the four Statements handed up by him were, Captain Wingate observed, sufficiently accurate to give a good general idea of the value of the emoluments, and to enable Government to judge of the general effect of any plan of settlement that might be adopted.

16. The information supplied by these Statements is very striking, and demands serious attention. "It appears from the abstract at foot of Statement No. 4, that there are no "less than 105 distinct Wuttuns of one kind, and another in the

Para. 16.

"Dharwar Collectorate, and that the holders of these offices possess "among them 99 villages entirely Inam, besides 74,055 acres of Chowrat land in Khalsa "villages. The total value of their official lands and other emoluments will be found to be "as follows."

Wuttuns according to statement, &c.	Valuation of the Wuttun emoluments in Rs.					
	Land as per Column 14 of statement.	Cash from Treasury as per Column 20 of statement.	District Hucks as per Column 29 of statement.	Total of land, Cash and Hucks as per Column 30.	Deduct Iodee payable to Government as per Column 31.	Remainder Net value of emoluments as per Column 32.
1. Dessaees, &c.....	86,435	9,619	953	97,007	24,241	52,766
2. Deshpandees, &c.....	47,840	4,164	530	52,534	24,973	27,664
3. Nadgowdas, &c.....	26,875	3,073	378	30,326	16,858	13,564
4. Mootaleeks.....	472	1,965	19	2,456	8	2,448
Grand Total....	1,61,622	18,821	1,880	1,82,323	86,080	96,442

1848.

APPENDIX No. 553.

Inam Commission, Bombay.

Para. 17.

"The District Hereditary Officers whose emoluments are here exhibited, had, as shown "in Mr. Hart's, and my joint Report No. 2, dated 25th December "1846, been virtually set aside by the Peishwa, and they must be "viewed as a useless and superfluous establishment under the revised settlement introduc-"ed by our Revenue Surveys. The cost of this effete and superfluous agency is Rupees "96,442, while that of the whole Talooka Native Establishment of the Collectorate consist-"ing of Mamlutdars, Mahalkurrees, and their subordinate Karcoons, amounts to Rupees "46,566 or thereabouts. The cost of the hereditary sinecure establishment is, therefore, "more than double that of stipendiary working establishment."

Para. 18

"Such a state of things seems urgently to demand reform, and when it is considered "that the revenues of our Presidency are unequal to its expendi-"ture, it will appear evident that this reform must require a portion "of the working establishment which is alone necessary to our administration to be borne "by the Hereditary Officers. The real exigencies of the question appear to me to be lost "sight of by those who advocate the plan of making the Hereditary Officers useful by de-"vising duties for them to perform, extra to those of the regular establishment, for by "so doing our administration would be made more cumbrous, and therefore inefficient, "while no saving of expenditure whatever would be effected. It appears to me that any "real reform of the existing system must embrace an appropriation of a portion of the emo-"luments of the hereditary sinecure establishment towards defraying the cost of the work-"ing stipendiary establishment, and this I understand to be the principle laid down in the "4th para. of the Government letter, No. 2466, while it may also be viewed as in accord-"ance with that of Act XI. of 1843."

17. I concur entirely in every word here expressed, as regards the inutility of the hereditary district establishment; and I go still further than Captain Wingate does here. The Hereditary District Officers were, previous to the introduction of the Revenue Survey, at once useless and dangerous. Instead of aiding the officers of Government, when they were referred to for assistance and information, they used to exert themselves only to mislead and obstruct. They lost no opportunity of defrauding Government and of oppressing the ryots, and 8 or 10 years ago half the time of Assistant Collectors was taken up in laborious enquiries into the misconduct of these overpaid, thoroughly useless, and untrustworthy servants. In the year 1845-46, an effort was made to turn them to some use, and at the recommendation of Messrs. Blane, Pringle and Townsend, fifteen forms of statements were prescribed for preparation by them. I have never yet seen an instance of these statements being even nearly completed in any single year; the work actually done, is generally performed at a time when its supposed value no longer exists, and these statements, even if prepared with regularity, "supply" as Captain Wingate observes "no really useful "information, that is not to be found in a more available shape in the records prepared by "the village officers, and Talooka stipendiary establishments," some of the Hereditary Officers or their Karcoons assist at field inspections; in this they are useful; and they are often, notwithstanding repeated orders to the contrary, employed by the Mamlutdars and Mahalkurrees as copyists, and in the ordinary duties of the regular establishments, Captain Wingate gives it as his opinion that "they might all be discharged any day without the "efficiency of the Talooka establishment being perceptibly impaired thereby. These Kar-"coons (it may be added the Zumindars themselves), it must be borne in mind, do not for "the most part possess the qualifications necessary to enable them to render efficient ser-vice." They are ill paid, and I agree with Captain Wingate that the presence of a number of inefficient Zumindar Karcoons in a kutchery is an evil rather than a benefit, and results in the work being worse done, while it also enables the stipendiary Karcoons to idle away their time.

APPENDIX No. 553

Inam Commission, Bombay.

18. In the Dharwar Collectorate, the assistance derived by Government from the Hereditary Officers in conducting the administration of the Collectorate will be understood from the following Statement.

Wuttons according to the statements.	No. of Hereditary Officers who personally attend at the Talooka Kutcherries as per Column 34 of statements.	Karcoons employed by the Hereditary Officers who do duty at the several Talooka Kutcherries.			Per-centage which the total pay of Karcoons bears to the net emolument of Hereditary Officers.
		No. of Karcoons as per Column 35 of statements.	Total amount of their pay per annum as per Column 36 of statements.	Average rate of pay to each Karcoon per mensem.	
1. Dessaees	13	53	3,422	5½	6½
2. Deshpandees...	0	44	3,168	6	11¼
3. Nadgowdas....	2	23	1,747	6¼	13
4. Mootaleeks....	6	20	1,185	5	48
	21	140	9,522	5¾	10

It thus appears that in the Dharwar Collectorate, 21 Hereditary Officers serve in person, among whom are no Deshpandees, and that the whole body provide in addition 140 Karcoons who are paid at the average rate of Rupees 5¾ per mensem.

19. In noticing the scheme of settlement devised by Captain Cowper, Captain Wingate says, he does not perceive why a uniform per-centage would be less advisable or less practicable than a variable one; and he shows that, if the latter be deemed preferable, under the idea that a greater portion of the smaller income is required for the support of the incumbent in office, then in the case of the larger income, such supposition is not authorized by existing circumstances; the larger incomes being almost invariably subdivided by inheritance and burdened with debt to an extent that leaves the various shares individually, as poor as the shares in smaller Wuttuns, and the practice being to tax the smaller Wuttuns heavier than the larger ones. For instance the Dessaees of Dharwar, which are the most valuable, pay Rs. 6½ per cent.; while the Deshpandees of less value, pay 11¼. The Nadgowdas of still lower value pay 13 per cent, and the Mootaleeks lowest of all have to pay 48 per cent. This appears to me, when considered in connection with what the Collectors have been led to say, sufficient to warrant Government to reject that portion of Captain Cowper's scheme for exemption on account of minimum profits.

20. Abstractedly considered, Captain Wingate deems the variable scale less fair than a uniform per-centage, the tenure of all being identical, that of rendering service to the State.

21. Captain Cowper's scale is liable to another objection in the opinion of Captain Wingate. The emoluments of the District Hereditary Officers of Dharwar, and the case will probably be the same in all other Collectorates, though large in the aggregate are individually small, and consequently the contributions leviable from them according to the proposed scale will be found to be less considerable than Government is fairly entitled to demand. The whole emoluments entered in the four statements amount, as already shown, to Rupees 96,442, and the tax to be imposed according to the scale is Rupees 28,076, or 29 per cent., which is only 19 per cent. more than the Hereditary Officers now pay for Karcoons, and seems an inadequate contribution. Government may demand service to the full amount of their emoluments and refrain from doing so as an act of grace only.

22. Captain Wingate proposes that 50 per cent. of the net emoluments suggested by Captain Cowper for imposition on the more valuable Wuttuns in lieu of service should be applied to all the Wuttuns great and small. This would supply the exigencies of the public service, and at the same time afford the Hereditary District Officers a most liberal amount of consideration, more liberal than that proposed for Patels and Koolkurnees as in their cases the entire emoluments, when not more than sufficient for the remuneration of the office, have been appropriated for that purpose and nothing left to be enjoyed as sinecure, while the aggregate appropriations for this class of officers greatly exceed 50 per cent. of their entire emoluments.

23. The plan of uniform treatment is recommended by the advantage of being very inconvenient, admitting as it does of immediate settlement in anticipation of the determination of titles by the Inam Commission.

24. In contrasting the effects of the two schemes, it will be seen from Columns 37 to 58 of the statements, that while Captain Cowper's would give the service tax at an aggregate amount of Rupees 28,076, Captain Wingate's would produce Rupees 48,221.

25. In the 28th to 31st paras. of his letter, Captain Wingate advocates the abolition of the few levies received by the Hereditary Officers from the farmers of various sources of revenue, and the deduction of their annual amount from the Jodee now paid by these officers. He also advises the reduction of the Jodee by the amount now paid to the District Officers on account of cash allowances, thus altogether abolishing the latter. I may as well at once express my concurrence in these two very proper proposals.

26. Again there are some Wuttuns without official lands, the entire emoluments consisting of cash allowances. In these cases it is not intended by Captain Wingate that any tax should be collected on account of service, he would only reduce the sums payable to the Hereditary Officers by the amount of the tax imposed in lieu of service.

27. The adjustments in the last paras. of this letter will result in arranging all the Dharwar Hereditary District Wuttuns into two classes.

1. That in which the entire emoluments will be derived from land.
2. That in which the entire emoluments will consist of a fixed annual cash allowance.

28. The former of these will comprise 87 Wuttuns, and the latter only 17. Captain Wingate considers it inadvisable to increase the cash paid Wuttuns, which would be the effect of Captain Cowper's scheme for resuming at the death of incumbents the Wuttuns formerly resumed by Tippoo and never restored by the Peishwa, granting Potgees in lieu.

Paras. 35 and 36.

The reasons assigned by him are to mind very forcible, and I therefore submit them for the adoption of Government. There appears no cause, observes Captain Wingate, for making any disturbance between the Wuttuns which were, and those which were not resumed by Tippoo and the Peishwa, both being now alike in the hands of the Wuttundars, and being moreover viewed much in the same light by the people at large. After taxing the resumed or Zuptee Wuttuns 50 per cent. it will be needless for the sake of the small additional revenue that would accrue by resuming them at the deaths of present incumbents, to deprive the district officers of their lands, and lower their "status" in the eyes of the people, by reducing them to the position of pensioners. Another and stronger objection is, that a hereditary cash pension is erroneous in principle, and must be viewed with a suspicious eye by both Government and governed. Such assignments form a perpetual incumbrance on the revenues without any compensating advantages, and under the pressure of British feeling, the holders run the risk of losing them altogether hereafter. On this account Captain Wingate feels disposed for the greater security of the holders to convert existing cash pensions into bonds, bearing

10 per cent., of which the principal should be fixed at 10 years' purchase, and be made redeemable at the pleasure of Government, after the expiration of 20 or any other term of years.

29. Here then is Captain Wingate's plan for the settlement of the hereditary district Wuttuns which he would carry out as a general measure in all surveyed districts, leaving it, as regards individual cases, open to modification on receipt of the results of the enquiry into the validity of titles which is to be conducted by the Inam Committee.

30. But the scheme is to be worked out so as to enable the Mamlutdar, and Mahalkurees of revised districts to avail themselves of the services of the hereditary Zumindars in aid of the ordinary public business. Captain Wingate, in approaching this part of his subject, repeats his opinion of the inefficiency of the Karcoons, now doing duty on behalf of the District Hereditary Officers, and urges that it would be inadvisable to entrust our ordinary business to such hands or to any others nominated by the Zumindars without reference to fitness. He believes that the present establishments of our districts are sufficiently strong, or nearly so, for the due performance of all the duties required from them. The Government Karcoons are required to pass good examinations before admission into the service, and it is clearly a most desirable object to raise the standard of qualification as much higher as possible, so as to ensure the greatest degree of efficiency in the public service.

31. Captain Wingate expresses it to be his firm conviction that any arrangements for requiring the district officers to keep a certain number of qualified Karcoons at each Kutcherry, and thereby enable Government to reduce the number of regularly employed Karcoons, would be productive of harm. Double establishments of Government and Zumindar stipendiaries would prove a ruinous experiment, and greatly impair the efficiency of our administration.

32. He proposes the introduction of a system of joint patronage for the supply of efficient men to conduct the duties required in our Native establishments. The nomination of all Karcoons originally appointed to situations in the Revenue and Magisterial departments is at present vested in the Collector. Captain Wingate would admit the Zumindars to a share in this patronage under certain restrictions, their nominees being equally with those of the Collector, selected from young men, who have obtained certificates of qualification from the examination Committees. The nominee should be of a certain age. He should be subjected to the approval of the Collector. In the event of disapproval, two other candidates may be presented by the district officer, one of whom the Collector should be bound to accept, or report his reasons for rejecting both, to the Revenue Commissioner, whose decision should be final. The district officer to forfeit his right of nomination that time, in the event of the Revenue Commissioner's decision being unfavorable to his nominee; when once appointed to the service, all distinction between the Collector's and Hereditary Officer's nominees to cease, and both should be equally eligible to promotion on the score of merit or seniority. The connection of the district officers with the public service to cease entirely, and to be strictly limited to the exercise of the patronage of original appointments.

33. It is the opinion of Captain Wingate, that the privilege to which he would admit the district officers would be highly valued by them, and would increase their respectability as well as have the effect of promoting the education of their sons and relatives. He thinks it could not be exercised to the detriment of Government, as the nominees would become entirely independent of their patrons, and be dispersed after appointment in different parts of the country.

34. The distribution of the patronage it is proposed to settle thus. Taking the case of Dharwar, Captain Wingate finds that 161 Native Government Officers of the denominations, Mamlutdars, Mahalkurrees and Karcoons are employed on the regular establishment

at a monthly expense of Rs. 3,880, exclusive of two Joint Police and four Stamp Karcoons, annual expense Rupees 46,560, but 19 more Karcoons at 12 Rupees each per mensem would be necessary to replace those now employed by the Zumindars resulting, in an establishment of 180 individuals at an annual cost of Rupees 49,296, giving the average cost of each individual at Rupees 273 per annum. The proposed tax of 50 per cent. provides Rupees 48,221 per annum, which nearly covers this expense; and in consideration of this the whole of the patronage of the Talooka establishments might be assigned to the Zumindars, leaving to the Collector to appoint to the Hoozoor; but, as it might not be convenient for the Collector to supply vacancies in the Hoozoor by nominations of candidates who have not previously been in the public service, Captain Wingate would divide the whole patronage between the Collector and the district officers with reference to the number of individuals employed in the Hoozoor and Talooka establishments. He proposes that one-fifth of the whole appointments be made by the Collector, and four-fifths by the district officers, the first appointment being made by the Collector, the next four appointments by the district officers, where the Collector's turn will come round again and so on.

35. Unless the tax imposed on any Wuttun in lieu of service amounts to Rupees 125, the incumbent should not be entitled to the privilege of nominating at all. The value of each nomination being thus fixed at Rupees 250 instead of Rupees 273 above shown, to be the average annual cost of each individual Karcoon.

36. The effect of this would be to exclude from patronage 48 out of the 104 district officers of the Collectorate, as the cess contributed by each, falls short of the minimum of Rupees 125. The remaining 56 officers would be entitled to appoint, and according to the computation explained in the last para. of Captain Wingate's letter, the incumbents of an office to which a single nomination may be attached, would exercise the privilege once in 23 years, while the incumbent of offices to which several nominations become due would exercise it at intervals more frequently recurring.

37. The above described plan of Captain Wingate was forwarded by Government to the Collector of Dharwar, and to my predecessor Mr. Courtney for opinion and report. Mr. Courtney, however deemed it advisable to refer for the opinions of the other Collectors of this division as stated in his letter to Government of October 11th, 1853, No. 2535, replied to in the Resolution No. 6239, of the 22d following. I proceed to give a short sketch of the opinions which have been received by me from the Collectors on this most important question, but I deem it necessary at the same time to forward the original reports* for the full satisfaction of the Right Honorable the Governor.

38. The Collector of Dharwar, Mr. Law, regards Captain Wingate's plan as a fair compromise in the case of Hereditary District Officers whose Wuttuns are described by the Inam Commissioner to be held on such invalid titles. Some allowance should however be made for lands alienated by the Zumindars, otherwise a large number of them would be left with much less than half the net proceeds of their Wuttuns. When these lands were alienated, it was considered meritorious to give to a Brahmin, and the Zumindars would notseek to regain possession which they could not do successfully after the adoption of the proposed plan, because they would no longer hold their Wuttuns on service tenure. The Collector could not recover the rents from them summarily, and the Civil Courts would give them no redress. Mr. Law has heard that the Peishwa's officers granted orders for the continuance of such alienations, and in such cases the holdings ought to be deducted from the tax to be levied from the Zemindars. Government to have the benefit of lapses by death without heirs, and this consideration being restricted to alienations made before the accession of the British Government.

* Dharwar, No. 1369 of 26th September 1853, with accompaniment. Poona No. 155 of 25th January 1854. Ahmednuggur No. 213, of 15th February 1854. Sholapoor No. 416 of 18th April 1854.

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39. Mr. Law had been unable to ascertain the sentiments of the Wuttundars generally, but those of the Dharwar, and some other Talookas, are decidedly opposed to Captain Wingate's scheme.

40. As to former confiscations the account given of them by the Zumindars themselves to Mr. Law, is shortly this. At the Mysorean invasion, some sided with the Nawab of Savanoor, some with Tippoo. On his becoming Master, Tippoo confiscated the Wuttuns of all those who sided with the Nawab. But some, and among them it is said the Dessaee of Adur, sided with Tippoo, and these were unmolested by the conqueror.

41. The Wuttundars, whose possessions were confiscated, afterwards went to Poona, and obtained the restoration of them on terms more or less onerous.

42. Mr. Law specifies Jeewun Rao, Deshpandee of Dharwar, as being in possession of a "Yad" dated Poona Fuslee 1202, A. D. $\frac{1793}{1795}$ restoring the Wuttuns of the Sir Nadgowda Dessaee, and Deshpandee of Dharwar, as well as those of several Patels, Koolkurnees and Inamdars, which it would seem had been confiscated. A heavy Jodee was imposed on the Zumindars, the remaining profit of the Wuttuns being left to be enjoyed as Potgee. The same Deshpandee possesses another "Yad" directing the payment of arrears of these Wuttuns after deducting Jodee. But *neither* of *these documents*, which are said to have been issued by Nana Furnavees, *are authenticated* by *any seal* or *signature.* They* bear Mr. Goldsmid's stamp on them.

43. In support of these statements Mr. Law observes that the Jodee paid by the Wuttundars of 13 Mahals which he names has been entered in the accounts always as "Zaptee Jodee," that paid by others being simply "Jodee."

44. As to Captain Cowper's classification of the officers alluded to, Mr. Law states that the Potgee left to them after payment of Jodee was not a cash allowance, none of them receive or ever received such an allowance, but about quarter part of their Wuttuns seems to have been left them. The Jodee payments appear from Mr. Law's representations to have been very much increased by the Peishwa, and he suggests that the orders of the Peishwa, for granting Potgee may have been carried out by his local officers, (farmers) by a heavy addition to the Jodee tax.

45. Mr. Law suggests that the entries in the Poona Dufter may be erroneous. All the Wuttuns being set down as confiscated, because some were, whilst the parties left in possession had no cause for complaint. He thinks that every possible enquiry ought to be made with the view of ascertaining the real possession of the different Wuttundars under the Mysore Government, and the Bangalore or Mysore records of the reigns of Hyder Alli and Tippoo Saheb, extant in the Persian language, might, he remarks, be advantageously referred to for information.

46. If the result of further enquiry should be to confirm the entries of the Poona Dufter, the Hereditary Officers who are in the same condition as the Adoor Dessaee, ought, Mr. Law considers, to acquiesce willingly in Captain Wingate's scheme, with the modification above proposed in paragraph 38, but otherwise it is that gentleman's opinion that a more liberal settlement should be made, since it is obviously desirable to avoid measures calculated to cause a deep and wide-spread discontent among so influential a class. The acquiescence of the persons interested, Mr. Law observes, has been regarded as necessary, or at least a most desirable condition for its successful accomplishment. But Mr. Law makes a distinction with regard to some Wuttuns "never resumed whose titles are probably indisputable." This he believes to embrace chiefly the inferior class, Mootalceks, &c., of

* NOTE.—This was evidently to prevent their being altered to the injury of Government, and no recognition of their authenticity.

(Signed) H. W. REEVES.
Revenue Commissioner, Southern Division.

recent origin shown in Captain Wingate's fourth statement. They already contribute about half of their net profits, some of them more, and there would, he adds, seem no occasion for making any alteration in the scheme as it affects these petty subordinate Zumindars.

47. If personal Inams entered in the accounts as liable to quit rent *not separately shown* but included in the Mahal Jodee levied in the lump on the whole Wuttun, are to be resumed, Mr. Law argues that a due proportion of the Jodee should be remitted. The same course should be followed in regard to Survey Inams resumed, owing to the probability, that when the Jodee has been raised from time to time, it was partly in consequence of such unauthorized holdings coming to light.

48. Mr. Law recommends the entire exemption of three Dessaees from the operation of the scheme, the Dessaees of Nowlgoond, Dummul, and Hawanoor, as being the descendants of chieftains who, during the period of anarchy, which attended and followed the dismemberment of the Mogul Empire, got possession of large tracts of country, which they ruled with almost independent authority until the Mysorean invasion, when they were entirely dispossessed by the Peishwa's Government; they were allowed certain villages, and lands exempt from quit rent, without condition of service, which they still enjoy. They have always denied their liability to service, and none has ever been required from the Dessaee of Hawanoor. The Dessaees of Dummul and Nowlgoond have been made to furnish Karcoons since the introduction of the Revenue Survey. The two former have the title of "Bahadoor," are chiefs of the 2nd Class, and have numerous dependants to support. They keep up a degree of state and dignity. To deprive them of half their incomes which barely cover their ordinary expenses, would be a harsh measure, and, until warranted by further enquiry, of questionable propriety.

49. Mr. Law does not altogether agree, in the opinion expressed by Captain Wingate on the insignificance of the duty now performed by the 140 Zumindars' Karcoons. Of these, 36 only are employed in preparation of useless records. Fifty are employed from 6 to 8 months in the year inspecting field boundaries. The others (54) do whatever the Mamlutdars assign them. Although taking them as a class, they are inefficient compared with the regular establishment; there are many exceptions, and some of them have passed examinations. The duties performed by these Karcoons could not be accomplished by 19 others as supposed by Captain Wingate, and this opinion is supported by Mr. Stewart, First Assistant Collector. Mr. Law thinks that 46 Karcoons would be required to replace those now kept up by the Zumindars.

50. Mr. Law explains, with reference to paragraphs 21 and 22 of Captain Wingate's report, that in conformity with the Government letter, No. 6557, of 26th October 1848, paragraph 4, and the Circular of July 26th, 1821, Mr. Bell, his predecessor, dispensed with 45 Karcoons furnished by the Dessaees at an expense of Rupees 3,966 per annum, and directed the Deessaees to attend in person.

51. The objections to Captain Wingate's plan of transferring a large portion of the Collector's patronage to the Zumindars, are, in Mr. Law's opinion, conclusively stated by Mr. Stewart. He observes that Captain Wingate has overstated the number of nominations at 10 per annum. The average of the last 5 years gives 6 only, and looking to the effectual measures which have been taken by Government to prevent hasty and improper dismissals, the number will, he considers, be still less in future. If this be correct, the value of the proposed patronage to the Zumindars would be considerably reduced.

52. Mr. Law concludes by stating it as his belief that the full consent of all the Hereditary District Officers is necessary to the scheme, and that in a case of their refusal, Act XI. of 1843 must be rescinded in so far as it concerns them, since they may say that, rather than pay a heavy tax in commutation, they are ready to perform all customary service, and insist upon the provisions of that enactment being carried out.

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Mr. Stewart's letter to the Collector, dated 25th Aug. 1853.

53. Mr. Stewart's opinion of the transfer of the patronage will here find a proper place.

Para. 8.

"The most important feature in Captain Wingate's "plan, and one in the policy or necessity of which I cannot quite concur, is the transfer "of four-fifths of the patronage of the Government Karcoons to the Hereditary Officers. "I do not consider that this measure will be productive of good. Captain Wingate "advocates it on the ground that it would be valued by the District Hereditary "Officers, and tend to reconcile them to the reform, but I should be disposed to "dread the influence which would thus be thrown into their hands, notwithstanding "all the precautions of employing the nominees in other Talookas than those where "their patron's estates are situated. The influence which a Hereditary Officer would have "over his nominee must be considerable, and though it could not perhaps be of much di-"rect service in his own district, yet it might be exchanged "protanto" with some other "Hereditary Officer whose nominee would be instructed to attend to the interests of his "patron's friend. Judging from the Native character, I do not think it at all improbable "that this will be a frequent result, and when the proposed system has been in operation "for some time, there will be four-fifths of all the Native employès of Government, including "Mamlutdars, Mahalkurries and all the Hoozoor officials who will have to thank for their "first nominations to the public service, a class of men from their position and large es-"tates constantly mixed up in the matters referred to the stipendiary districts officers, and "concerned in the ordinary business of the Talooka.

"9. The project of giving the Hereditary Officers the patronage of the Karcoons, ap-"pears to have arisen from the necessity which exists under the provisions of Act XI. of "1843, of allowing all Hereditary Officers the choice of appointing their own deputies, but "I do not think the proposed tax could be levied under Act XI. of 1843. In the 13th and "14th Sections of the Act, provision is made for the remuneration of officiating officers or "deputies appointed under the Act, and I do not think that it would be found possible to "extend the principle of appointment laid down in Section XI. to the system proposed by "Captain Wingate, part of which would exclude all the Hereditary Officers, whose subscrip-"tions do not amount to 125 Rupees, from having any nominations whatever.

"10. Should my view be correct, that the tax of 50 per cent. could not be levied by "law as it stands, it would either be necessary to pass a new law or to obtain from the "Hereditary Officers an agreement binding them to the payment of this tax in return for "Government conceding the validity of their titles otherwise open to dispute, and in "either case I am of opinion that the question of patronage might be altogether waived, "and that it should remain in the hands of the Collector as before.

"11. This point appears to me of the most vital importance, and I may be excused "for enlarging on it. It is true as stated in para. 40 of Captain Wingate's report, that it "would endanger the efficiency of our administration to entrust the business of the Talooka "Kutcherries to Karcoons nominated by the Hereditary District Officers without reference "to fitness, and it becomes a question if the test of fitness, namely the biennial examina-"tions, would remove any of the causes for apprehending danger. The number of candi-"dates who pass their examinations, always has been, and is likely to be, very much in ad-"vance of the number of vacancies, and it would not be difficult for the nominating officer "to find some one from among the many successful candidates willing to be his friend and "confederate.

"12. As the Hereditary Officers are to be encouraged to nominate their sons and re-"latives, the Collector's right of veto on the appointment would be ineffectual towards pre-"venting secret understandings of this kind, and in fact could hardly ever be exercised at

"all, as candidates for the regular examinations are required to produce certificates as to "conduct and character, which would preclude all those whose nominations would be op-"posed by the Collector."

54. The Acting Collector of Ahmednuggur, Mr. Bell, in submitting his opinion, states that the proportion between the emoluments of the Hereditary Officers and the cost of the Talooka establishment of Ahmednuggur is very different from that existing at Dharwar. The total cost of the Hereditary establishments calculated under the same defects as are described by Captain Wingate in his 10th para. being Rupees 90,520, while that of the stipendiary is Rupees 1,05,672.

55. The remarks of Captain Wingate on the inutility of the statements devised for the purpose of making the Zumindars useful, are concurred in by Mr. Bell, who also places little value upon the more active services which are performed by these officers and their Karcoons. "It was only a short time ago" he observes, that "on visiting a District Kut-"cherry I found sixteen individuals collected representing this class of officials, and when "I enquired what duties they were engaged in, they replied that they had nothing to do, "but were waiting any demand that might be made upon their services. And only a few "days since I found at Ankola the whole company of district officers in the same way "perfectly willing to be useful, but with one or two exceptions able to write only suf-"ficiently to sign their names."

56. Mr. Bell has no doubt that Government has a right to exact efficient service from these officers, and he does not think the Hereditary Officers would object to undertaking the ordinary business of the stipendiary establishments, but he believes that they would not voluntarily surrender an adequate portion of their emoluments for the remuneration of their representatives.

57. On these grounds, the justice of setting aside a part of the income of the district Wuttuns for the adequate remuneration of the officiating representatives cannot, he is of opinion, be challenged. The right of the State to employ Hereditary Officers on such duties as may be required, and to provide competent representative agency, is also not to be disputed.

58. Mr. Bell considers that Captain Wingate has advanced forcible arguments in behalf of levying a uniform proportion from all Wuttuns, large and small, and he thinks that ultimately 50 per cent. may with equity be deducted, but for the present 25 per cent. or quarter would be a sufficient service tax. The reasons he advances for this opinion are drawn from a comparison of the present and past condition and consequence of the Zumindars, and the unpopularity of reforms which involve heavy pecuniary privations, aggravated in the present case by caste prejudice which prevents the sufferers from resorting to trade.

59. Fully admitting the intention of Captain Wingate's scheme to be conciliatory, Mr. Bell expresses it as his belief that it falls short of that degree of consideration which the case deserves, and he differs in "toto" from that officer, when he says that the settlement proposed for the Zumindars is much more liberal than that provided for Patels and Koolkurnees. In the case of the latter, an adequate remuneration was provided for one or more of the Wuttundars themselves for performing duties which are considered peculiar to their office and tenure; in the former on the contrary the appropriations are intended to provide for duties hitherto foreign to the offices to be performed by parties, not necessarily, but only contingently connected with the Wuttundars.

60. The uniform tax from service would not, Mr. Bell believes, operate very unequally on large and small Wuttuns.

61. There is no sufficient reason for excluding from employment such members of hereditary offices as may be qualified and willing to render efficient service in the ordinary establishments. Mr. Bell, therefore, suggests that where such members are found, the de-

duction should be 50 per cent. the representative of the Wuttun being received into the stipendiary establishment, and paid at first according to his qualifications, and as soon as possible on a vacancy occurring, appointed to fill a suitable situation with all the privileges and subject to all the rules provided for the regular establishments; the pension rules perhaps excepted, which may either be reduced in amount or withheld, on the ground of the half Wuttun still remaining.

"At the expiration of a fixed period sufficiently distant to allow of the youths of here-"ditary Wuttuns being educated for the public service," Mr. Bell thinks, "there could be "no objection to Captain Wingate's proposal for appropriating 50 per cent. being enforced, "and as a plan more easy of execution and in every respect more eligible than Cap-"tain Wingate's scheme of patronage," he would "recommend an universal preference "being given in all nominations to Government employment to the sons and near relatives "of Hereditary Officers who attain the minimum of qualification at the public examinations. "This minimum might be fixed rather high, so as to leave open a fair proportion of nomi-"nations, for others who attain a very high standard of qualification."

62. To the plan of patronage, Mr. Bell advances the following objections:—

1. It excludes the proprietors of the smaller Wuttuns from a share in the patronage, or in other words from obtaining employment for their sons and near relatives, however well educated.

2. The right of nomination would come round to the turn of some of the Wuttuns at so distant a period as virtually to deprive the sons and near relatives of many Hereditary Officers of the hope of obtaining Government employment.

3. The variety of interests involved in the several shares of a Wuttun would interfere with, if not entirely render hopeless, any unanimous nominations by its members, and thus the object of the scheme would be often neutralized.

4. A facility is afforded for the sale of their proposed patronage by the Hereditary Officers. Provided the nominee is qualified, this objection may perhaps be rather nominal than real, but the possibility of such a result had better be avoided.

63. Mr. Bell also notices that it might be necessary to obtain an enactment to authorize "so radical a transformation." Act XI. of 1843, authorizing the assignment of a portion of the emoluments for the fit maintenance of the Hereditary Officers, while the proposal regards the fit maintenance of the regular establishments, it would be necessary to provide that Government shall have the right of applying the assignment in question for the performance of such duties, as may be required from Hereditary Officers, whether those duties be performed by them or by others, and also to render Hereditary Officers, when employed by Government, subject to all the laws in force, with respect to the regular establishments.

64. The Collector of Sholapoor, Mr. Loughnan, concurs in a great degree in all the opinions expressed by Captain Wingate, and thinks the State may require the application of the emoluments of the Hereditary District Officers, for the purpose of defraying the expenses of the regular establishments. He is quite satisfied of the inutility of the clerical work now performed by these Hereditary Officers, of the great inconvenience that would ensue from employing them to a much greater extent in substitution of the regular Karcoons.

65. When the Talooka establishments are adequate to the performance of the duty in all branches, the aid of the Zumindars and their Karcoons may be dispensed with entirely, with advantage to the service. But owing to the absence of any provision for Police duties in Sholapoor, the regular establishments are overworked, and the withdrawal of the Zumindars would create much inconvenience.

66. Mr. Loughnan does not know, whether the duties of the Zumindars were originally precisely the same as those now performed by our Talooka officers, but believes that a great portion of the work they used to perform under the late Government, is now exclusively assigned to our stipendiary establishments, while the residue is no longer necessary.

67. Mr. Loughnan does not however regard the Zumindars as useless. Their opinion, verbal and written, may be taken and be found useful in many matters in which our revenue officers require information. He would therefore allow them to enjoy such portion of their existing emoluments as Captain Wingate proposes they should retain, on condition of furnishing correctly, such information as it has been usual to require from them in regard to their Purgunnahs, and to enable them to continue useful in this way, they should be allowed to take notes of all standing orders on revenue management. But their attendance should not be made compulsory. I differ entirely from the opinions expressed in this para., and regard the opinions of a Zumindar as such, totally valueless.

68. Mr. Loughnan objects to Captain Wingate's plan for the conversion of Hereditary cash pensions into bonds without the consent of the parties.

69. The adoption of that officer's scheme of patronage would lead in all probability to the sale of appointments, it would facilitate fraud at the Hoozoor, for when a regular tariff has been established by the *Zumindars*, candidates for selection by *Collectors* would not long hesitate on being pressed by ill disposed subordinates possessing influence, to arrange for the same terms on condition of success.

70. Act XI. of 1843 does not, in Mr. Loughnan's view, interfere with Captain Wingate's proposals. That enactment would become a dead letter, except in so far as concerns the correctness of the *information*, which Mr. Loughnan proposes that the Hereditary District Officers should still be called upon to supply.

71. The Collector of Belgaum, Mr. Inverarity, left for Europe without giving his opinion, and he was succeeded in his appointment by Mr. Bell, whose views as Collector of Ahmednuggur have already been noticed.

72. The Collector of Poona, Mr. Jones' letter contains the following words :—

" In reply I beg to state that I have very carefully gone through the whole of Captain " Wingate's report, and the only remark that occurs to me with regard to the arrangement " proposed, is, that it is not fair to take half the income of the smaller Wuttuns and give " them no privilege in return, and I would suggest that those which from their low amount " are not entitled to a nomination, should lose but quarter in lieu of service. For the rest " it only requires the parties most interested to give their consent, and the plan could be " carried out at once. Captain Wingate had great experience in these matters, and I have " no doubt he satisfied himself of the acquiescence of the District Officers before proposing " such a radical reform."

73. The above appears a fair sketch of the two plans which have been proposed for settlement of the Zumindars, and of the opinions offered by the Collectors on the latter, i. e. Captain Wingate's which I believe has met with favor from Government. It is evident that the question of this settlement is a very important one as well as accompanied by some difficulties. Two points offer themselves prominently for notice.

First.—The present condition of the Wuttuns, as regards efficiency, income, emoluments and liability for service.

Secondly.—The nature of the service which was formerly, and may now be exacted from the holders of them.

74. Firstly, it is admitted on all hands that the Zumindars under the British Government were for many years not only useless, but a most serious impediment to the administration of the country. They were foremost in obstructing improvement; they exerted themselves to falsify and mislead, and so far from expecting any aid from these officers in matters of importance, Collectors and their Assistants used to guard sedulously against interference from them and were content, indeed, if they succeeded in tendering them neutral.

75. In the year 1845-46, an unsuccessful attempt was made to render these officers useful by requiring from the Deshpandees a number of statements, the Deshmooks or Dessaees were ordered to perform the more active and out-of-door work of the revenue. The Zumindars themselves are mostly incapable of performing duty. The Karcoons whom they employ are very inferior to those of the regular establishments as a class, although there are individual exceptions; they are also very poorly paid.

76. The Wuttuns are subdivided to an injurious extent; so that notwithstanding the value of some of the Wuttuns taken in the aggregate, the sharers are, almost to a man, very poor. To this it may perhaps be added that the Wuttuns are not all of them so productive as they are represented to be in the Government Accounts.

77. The emoluments of the Wuttuns consist of lands, cash payments from the Treasury and Huks; but a portion of the lands enjoyed by the Zumindars is, in some instances, claimed as personal Inam, a portion of the holdings of Wuttuns or otherwise has been alienated by the Zumindars themselves. In some districts the Zumindars are subject to the payment for a Jodee (quit rent), in others they are not so. The portion of the holding which is personal Inam, has not yet been ascertained, and as yet no enquiry has been made into the alienations. The Jodee consequently would appear to require adjustment.

78. Some of these Wuttuns were resumed, *i. e.* orders were issued for their resumption by the former Governments, but the orders were not in all instances carried out. In some instances the orders for resumption were carried into execution, and a Potgee or maintenance in the shape of a cash allowance was granted. Some also were never resumed. Captain Cowper proposes to observe a distinction between the Wuttuns which have thus, with good or bad fortune, passed through the hands of the Mysorean Tippoo and the dynasty of the Peishwas. But I am more disposed to follow the advice given by Captain Wingate, namely, to view them all alike, and apply to them a uniform mode of treatment.

79. Mr. Law's opinion that the alienations made by the Zumindars should be thoroughly enquired into, appears nothing more than what Captain Wingate himself intends; but as regards these and the Wuttuns described in the Poona Dufter as having been resumed, it is evident that unauthenticated yadees and orders mentioned by Mr. Law, and the vote of discredit which that gentleman proposes to pass on the Peishwa's diaries, estimates and other accounts, cannot be attended to. I cannot understand how we are to believe the Mysore and Bangalore records, if those of the Peishwa, in regard to his own acts and intentions, are considered to be faulty.

80. The three Dessaees of Nowlgoond, Dummul and Havanoor, should, Mr. Law is of opinion, be entirely exempted from the proposed settlement on the ground of their former power, consequence and wealth, out of personal regard that is for them. The question however ought, in my opinion to be, are these men Dessaees, or are they not? if they are, they must be treated exactly in the same manner as other Wuttundars of the same class, and if they hold lands or other properties as personal Inam, and not as Wuttun, they should be exempted from *service* to the extent of such holdings only. I am well aware of the denial with which these Dessaees have always met the demand on them for service; but I can absolve no Wuttundar from such liability, and I maintain that although a Dessaee may have refused or evaded the performance of service to a sovereign who was not strong enough to

oblige him to do his duty, he cannot by such disobedience be said to have laid any obligation on that or the succeeding Government to recognize his proceedings. Rather, the very first Government, strong enough to vindicate the rights of the State, may justly do so by resuming the whole of his service possessions, and even go much further. I do not therefore concur in the recommendation of Mr. Law in favor of these three Dessaees.

81. Mr. Bell and Mr. Law both consider the Zumindars entitled to sympathy and consideration, on account of their fallen condition and the hardship to which they will be subjected by the application of the proposed scheme. On this account Mr. Bell would, for the present, levy a tax of one-fourth only of the net profits, and postpone the levy of one-half until the sons of the present Wuttundars have been allowed time sufficient for qualifying themselves for the public service. Mr. Bell would also take into the service immediately any qualified Zumindar. In the indulgence of our sympathy, however, it will never do to forget the truth or blind ourselves to justice. The Zumindars, as a class, are virtually sinecurists, they absorb an enormus amount of the resources of the State without making any really valuable return. The money expended thus almost gratuitously on them ought to be applied to the remuneration of labor which is performed by the regular servants of the State, and this, more especially, since the revenues of the Bombay Presidency are unequal to its expenditure. The minute sub-divisions to which Hereditary Officers have been reduced appear to me to render much commiseration superfluous. There is nothing whatever to prevent any qualified Zumindar taking service immediately in the regular establishment. Many of our Karcoons are actually Zumindars.

82. The correspondence before Government exhibits details for the Dharwar Collectorate alone. Mr. Bell explains that the Hereditary Establishments of Ahmednuggur amount to Rs. 90,520 per annum, while the stipendiary stand at Rs. 1,05,672. The following affords a contrast of these establishments in all the Deccan and Southern Mahratta Country Collectorates of the Southern Division, calculated of course under the same defects as those noticed by Captain Wingate in respect to Dharwar. I invite attention to the great disproportion observable between the stipendiary and Zumindar Establishments of Belgaum and Dharwar districts which were further removed than the others from the seat of the Peishwa's Government, and therefore less efficiently superintended.

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Statement showing the monthly cost of Establishments in the several Collectorates of the Southern Division and the Emoluments of the Zumindars for A. D. 1852-53.

No.	Names of Zillahs.	Cost of Establishment including Mamlutdars, Mahalkurrees, Karcoons, Peons, &c.									Emoluments of Deshmooks, Deshpandees, &c.				Remarks.
		Mamlutdars, Mahalkurrees, Joint Police Officers, &c.			Peon Establishment.			Total.							
		Revenue.	Police.	Total.	Revenue.	Police.	Total.	Revenue.	Police.	Total.	Value of Inam lands and villages.	Cash payments in 1852-53.	Total of Cols. 12 and 13 annual.	1-12th share of the amount entered in Col. 14.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	Poona.....	3,516 8 0	208 0 0	3,724 8 0	1,427 0 0	1,526 8 0	2,953 8 0	4,943 8 0	1,734 8 0	6,678 0 0	34,923 2 8	28,006 9 2	62,929 11 10	5,244 2 0	If the sums entered as expended on Revenue and Police Peon Establishments be deducted, the amount of Establishment for Dharwar will agree nearly with that given by Captain Wingate—See para. 16 of this letter.
2	Ahmednuggur.	5,801 0 0	229 8 0	6,030 8 0	2,383 0 0	265 0 0	2,648 0 0	8,184 0 0	494 8 0	8,678 8 0	29,897 9 11	69,000 1 9	98,897 11 8	8,241 7 0	
3	Sholapoor	3,685 0 0	106 0 0	3,791 0 0	1,370 8 0	1,010 8 0	2,381 0 0	5,055 8 0	1,116 8 0	6,172 0 0	66,557 14 8	37,218 10 6	1,03,776 9 2	8,648 0 0	
4	Rutnagaree..	2,052 8 0	245 12 0	2,298 4 0	1,309 12 0	706 4 0	2,016 0 0	3,362 4 0	952 0 0	4,314 4 0	5,865 3 0	19,365 6 2	25,230 9 2	2,102 8 0	
5	Belgaum.....	5,010 0 0	303 0 0	5,313 0 0	1,818 12 0	2,250 4 0	4,069 0 0	6,828 12 0	2,553 4 0	9,382 0 0	3,62,024 10 8	33,903 11 0	3,95,928 5 8	32,994 0 0	
6	Dharwar.....	3,993 0 0	193 0 0	4,186 0 0	1,510 0 0	1,433 0 0	2,943 0 0	5,503 0 0	1,626 0 0	7,129 0 0	1,08,869 11 7	21,773 11 7	1,30,643 6 9	10,886 15 0	
		24,058 0 0	1,285 4 0	25,343 4 0	9,819 0 0	7,191 8 0	17,010 8 0	33,877 0 0	8,476 12 0	42,353 12 0	6,08,138 4 1	2,09,268 2 2	8,17,406 6 3	68,117 0 0	

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83. The Collectors of Ahmednuggur and Sholapoor consider the right of Government to exact service to the extent of 50 per cent. beyond a doubt, and they appear to regard that amount as in itself reasonable. Mr. Law does not question the right so much as to deprecate its enforcement owing to its hardship and unpopularity:—he urges also the high and increased amount of Jodee which some of the Zumindars now pay. There is no use, I am convinced, in expecting a measure to be popular with the Zumindars which in the smallest degree curtails their emoluments or their influence. Every measure having for its object the ascertainment and regulation of the revenues of the State, or the alleviation of the burdens of the cultivating class, has been unpopular with them, and has been strenuously opposed by them. Since their policy has ever been to promote confusion, a regular Government must in their eyes always be unpopular. I very much doubt whether our Government can ever be more unpopular so far as the Zumindars are concerned than it is now. The measure proposed, however, will be unpopular among them alone, for it will increase the efficiency of the public service which cannot fail to give general satisfaction. I do not see any wisdom in the half measure advocated by Mr. Bell, the immediate subtraction of one-fourth profits would be very unpopular, and the same measure, 8 or 10 years hence, would subject Government to additional odium as well as to heavy pecuniary loss. Government has, I urge with Captain Wingate, a clear right to demand service to the full amount of the profits, the levy of a tax of 50 per cent. only is therefore very moderate. The Inam Commissioner while settling the amount of Jodee and enquiring into the alienations will ascertain the correctness of Mr. Law's remarks as to the additions which he supposes to have been made in the Jodee payments of these Wuttundars and the probable causes of them; but granting those additions to have been made, Government is not, in my opinion, bound to perpetuate "sinecures," and continue the free enjoyment of the remainder of the profits without some very strong evidence of the Peishwa's having intended those additions to act as permanent settlements, and not as I believe them to have been merely preparatory to a total abolition of the Zumindars' offices.

84. Mr. Law observes that the Zumindars of Dharwar Talooka are decidedly unfavorable to the scheme devised by Captain Wingate. I need scarcely add, after what has been already said, that the scheme will be unfavorably received everywhere by the class chiefly interested.

85. 2ndly. Inasmuch as the Peishwa discouraged the employment of Zumindars, it is not very easy to bring forward proof of the nature of the duties originally prescribed for these officers, it may however, be very reasonably inferred that they differed in no degree from those now performed by the Government Karcoons in the Revenue and Magisterial departments. Deshpandees do not even now object to undertaking any clerical, revenue or financial duties, and the Dessaees and Deshmooks of the Belgaum Collectorate undertaking, according to Messrs. LeGeyt and Inverarity, to become Superintendents of Police in addition to Inspectors of cultivation, boundary marks and crops. If the Zumindars did not perform these duties, what did they do?

86. I share, however in the opinions of Messrs. Bell, Law and Stewart, that Act XI. of 1843, does not authorize the assignment of a portion of the Hereditary emoluments to any others than Hereditary Officers or Deputies appointed in conformity with that enactment. To work out the new settlement, a modification of Act XI. is necessary to supply the above defect, but I think it would be more proper and far easier and convenient to pass a law abolishing the offices of Zumindars altogether. This indeed is the true point of light for looking at Captain Wingate's scheme. For with the service tax of 50 per cent. deducted, the connection of these officers, with the transaction of public business, is to cease. They thus become virtually ordinary land holders, or pensioners.

87. I may here notice another point, the mode in which Captain Wingate proposes to work out his plan, so as to enable the Mamlutdars and Mahalkurrees to avail themselves

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of the services of the Hereditary Officers in aid of the ordinary public business, this is described in Captain Wingate's scheme of patronage to which all the officers whom I have consulted decidedly object. I am myself opposed to this very complicated part of the plan. I feel of opinion that the privilege of appointing would be much less frequent and valuable than Captain Wingate supposes, while under any circumstances there would not fail to be a sale of offices which, of itself, is sufficient to condemn it. The principle is, I submit, wrong, while there is no occasion for the complex arrangements proposed, since if the Zumindars do not consent to the surrender of their emoluments and they are not themselves employed, it is evident the law must be altered. The remedy which I propose of abolishing the offices of the Zumindars thus appears to offer great convenience.

88. I thus consider Captain Wingate's scheme preferable to that of Captain Cowper's, and recommend its being carried out, estimating the Wuttuns in the manner described in paras. 8 to 15 of the former Officer's report and in the Statements accompanying it so far as they relate to the tax of 50 per cent., but leaving for the disposal of the Inam Commission such Wuttuns as present difficulties to an immediate settlement by Collectors owing to alienations and Jodee.

89. Instead of the patronage, I would recommend Government guaranteeing to the Zumindars the enjoyment of the remaining 50 per cent. in the most satisfactory and positive terms. It will be seen that Captain Wingate, at paras. 36 and 37 of his report, raises grave objections to the continuance or grant of hereditary cash pensions. I believe that the grant of bonds will be very unacceptable, and be certain to add very greatly to the unpopularity of the scheme. I therefore propose that the offices of Zumindars should be abolished by law. That the 50 per cent. remaining after deducting the service tax, be assigned to the present holders, every where in land to be entered in their names in free, simple or Inam. Where the remaining profits consist of land, this would be nothing more than transferring the entry from service to simple Inam, and when they consist of cash, land should be assigned to the recipient, taking of course the survey assessment as the guide. These arrangements would, I conceive, be preferred by the Zumindars to the doubtful privileges of the patronage or the grant of bonds advocated by Captain Wingate, and they would give a finality to the settlement which would put it out of the power of any future administration to question. It would also have the effect of making the settlement a highly popular one to a large portion of the parties interested. They who would have to receive cash payments in future would become land holders, and the untaxed lands of the others would be raised in value by the increased security of the new tenure.

90. It is impossible to say at present, or until the Inam Commission have completed their enquiries into the alienations and personal Inams, what the amount of appropriation on account of service tax will be. It may however be very fairly expected to cover very nearly the present charges on account of the regular establishments. But to make these establishments fully efficient, and to provide for the clerical and other work now performed inefficiently by the Zumindars and their Karcoons, it will be necessary to strengthen them permanently by a sufficient number of new hands from the savings effected. Captain Wingate has underestimated the wants of the district kutcherries in the Dharwar Collectorate, but I am of opinion that Messrs. Law and Stewart have overrated them. This part of the scheme may however, be safely left for future decision, after Government have expressed an opinion on the general question.

I have the honor to be, &c.

(Signed) H. W. Reeves,
Revenue Commissioner, Southern Division.

(True copy.)

H. Young,
Offg. Chief Secretary to Government.

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Inam Commission, Bombay.

No. 953 of 1856.

From

Captain T. A. Cowper,
Officiating Special Commissioner.

To

H. Young, Esq.,
Officiating Chief Secretary to Government,
Bombay.

Dated at Bombay, *the 19th September*, 1856.

Revenue Department.

Sir,

I have the honor in compliance with orders of Government noted in the margin,* to submit a Report showing the extent, cost and result of the enquiry in progress regarding the titles of holders of alienated public revenue.

*No 3718, dated the 5th September 1855.

2. Information on the points above specified was called for by the Government of India on the 10th March 1855, but as there were not at that time the means of submitting it in anything like a complete form, the two Inam Commissioners were desired to frame classified valuation Statements, distinguishing the claims adjusted from those remaining for adjudication. Government in calling for these Statements observed.—*

" Before replying to the call made by the Government of India as to the period at which " the Inam Commission is likely to be brought to a close, it will be necessary to collect further " information. The several reports of the Inam Commission are, in some respects incomplete, " and in others wanting in the detailed information required for the preparation of a State- " ment, which will enable the Government of India to form a correct estimate, not merely " of the financial results of the enquiry as far as it has gone, but also of the real extent and " nature of the important work which has been performed, a very large portion of which " has not hitherto been classified and shown separately.

" It is of great consequence, that the Government of India should be afforded the fullest " information on the latter point, as it is one materially affecting the duration of the en- " quiry, which, originally confined to Inams, has since been gradually extended to every " description of alienated revenue, the result of such extension having been, to demonstrate " beyond question, the very serious error committed in having hitherto neglected to place an " enquiry beset with technicalities and difficulty in the hands of a separate and specially " organized department.

3. Four Nos. (XXVIII. to XXXI.) of the Selections from the Records of the Bombay Government accompany this letter. They contain nearly the whole of the correspondence explanatory of the origin and past progress of the alienation enquiry, and of the principles on which it has been, and still is, conducted. I shall have frequent occasion to refer to these Selections, but in doing so, shall simply indicate the portions to be perused for a correct appreciation of the facts, which I am about to state, and the suggestions which I purpose offering.

* Paras. 1 and 2.

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4. A general description of the alienated revenue of the Presidency, and of the several measures in connection with it from time to time proposed, and more or less carried out, will be found in No. XXX. of the Selections, in which the subject is brought down to the enactment of the Law (Act XI. of 1852,) under which all claims to Inams in the Deccan, Khandesh, and Southern Mahratta Country are now disposed of.

5. A very fair criterion of the nature and value of the work which has been performed by the Inam Commission, since A. D. 1852, is afforded by the correspondence in Nos. XXVIII. XXIX. and XXXI. of the Selections, in which will be found a description of some of the most serious obstacles the Commission has had to encounter, and of much of the past inconsistency and error to which, perhaps more than to anything else, the difficulty of now effecting a settlement is due.

6. No. XXXI. of the Selections contains a History of the Revised Lists of Deccan Suringams and Pensions, which is suggestive of several important considerations, exposing, as it does, systematic fraud and neglect, through which a settlement ordered to be made in exact accordance with rules laid down by the Honorable Court of Directors, and to ensure the accuracy of which settlement, detailed subsidiary instructions were subsequently issued by the Government, would, but for the scrutiny of the Inam Commission, have been effected in direct violation of those rules and orders, and at a large sacrifice of public revenue, which the scrutiny of one-fourth of the entries in the Lists has already prevented to the amount of nearly a lac and a half of Rupees, the greater portion of which sum would, under the so-called Revision, have been permanently alienated.

7. No. XXVIII. of the Selections contains a description of the past proceedings and orders of Government, defining the right of adopted sons to succeed to property held from the State. It is extraordinary that, in a matter of such moment, there should have been inconsistency and error so great, as to have brought about a state of things with which it is now exceedingly difficult to deal.

8. It is not possible to afford within any moderate compass a complete description of the nature of the alienation enquiry, which directly or indirectly embraces many complicated and difficult revenue questions. In the Annual Progress Report of the Department I stated—*

"3. Both Inam Commissioners have pointed out that much of the most important "and laborious portion of their work can neither be specifically valued nor tabulated. I "allude thus pointedly to a fact, with which of course the Government are well acquainted, "because it is one which cannot be elsewhere known, but which has a most important "bearing in the working and progress of the Commission."

9. The following Extract from the last Annual Progress Report† shows the present state of the enquiry, on regard to the Inam claims adjudicated and remaining for adjudication.

	Villages.	Shares of Villages or Unnels.	Minor Estates in Villages.
Adjudicated	245	6	6,662
Remaining	1,015½	2,520	97,751
Total	1,260½	2,526	1,04,413

10. The value assigned in the annual Jummabundee Returns to the above, and to all the remaining alienations of land revenue in the six‡ Collectorates, is shown below; this valuation however is, as explained in para 107, a purely nominal one, the correction of which

* No. 202, dated the 9th June 1856, para 3.
† For the year ending the 30th April 1856.
‡ Poona, Nuggur, Khandesh, Sholapoor, Belgaum, and Dharwar.

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will be a work of time and difficulty. I have, for the present, given up the attempt, finding myself unable to devote to it a fraction of the time required; the whole system will, as regards alienated public revenue at any rate, require a thorough revision.

Collectorate.	Gross Revenue.			Alienated.			Remaining.		
Poona	13,39,832	10	5	4,12,935	6	10	9,26,897	3	7
Nuggur	26,23,626	2	11	10,83,252	4	11	15,40,373	14	0
Sholapoor	13,51,894	2	9	4,12,554	2	6	9,39,340	0	3
Khandesh	25,01,514	1	8	5,41,213	14	3	19,60,300	3	5
Belgaum	26,13,017	7	8	12,46,991	8	6	13,66,025	15	2
Dharwar	20,22,386	11	4	6,44,666	15	2	13,77,719	12	2
Total	1,24,52,271	4	9	43,41,614	4	2	81,10,657	0	7

11. It has, however, to be explained that of the claims to minor Estates above shown as remaining for decision, a very large proportion (claims to service holdings, and to holdings, the title to which has already been declared valid by competent authority) will be summarily adjudicated. Pending the completion of the Revenue Survey, and until further enquiry shall have determined with tolerable accuracy which of these alienations really are continuable as service holdings, it cannot be possible to state precisely the extent to which summary adjudication will be carried, but, as I have on a previous occasion stated,* I believe that at least two-thirds of these minor claims will eventually be thus disposed of.

12. The Returns called for in para. 8 of the Government Resolution, No. 3718, dated the 5th September 1855, have been prepared for sixty-five thousand of the minor claims remaining unadjudicated. The object with which Government ordered the classification of holdings, according to their value, was, that they might "be enabled to judge how far "the enquiry should be prosecuted, for it may be more economical, as well as more politic, "to stop short of the small Inams, and to confirm the owners at once in their enjoyment of "them." The following is an abstract of these Returns.

Class	No.	Aggregate assessed value.		
Less than 25 Rs per annum.	51,204	4,89,780	15	5
From 25 to 50 do.	8,514	2,95,499	0	1
Do. 50 to 100 do.	3,566	2,13,516	5	7
Do. 100 to 500 do.	1,637	2,93,454	8	9
Do. 500 to 1,000 do.	117	1,02,611	0	8
Do. 1,000 to 2,000 do.	21	28,323	15	4
Above 2,000 do.	9	27,405	4	11
Total	65,068	14,80,591	2	9

13. No economy can recommend the confirmation without enquiry of these titles, as there adjudication is much less laborious and expensive than that of the titles under which the larger estates are claimed. For the rest I need merely refer to the following opinion which I lately† submitted to Government.

* No. 202, dated the 9th June 1856, para 4.

† No. 202, dated the 9th June 1856, para. 4.

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"The great majority of claims are to estates or pieces of land each of no great value. "This would, at first sight, lead to the impression, that the enquiry might be advantageously shortened by excluding from it these claims. Experience, however, has shown that "this would be as unjust as undesirable; unjust, because it is among these minor holdings "that fraud has been discovered to an extent not existing elsewhere, and undesirable, because though each of inconsiderable value, they amount in the aggregate to a sum larger "than that alienated under any other head."

14. I have next to describe the financial results of the enquiry as far as it has progressed, and this I am able to do with accuracy sufficient, I apprehend for all practical purposes. There can be no mistake regarding the recovery of money which would have been paid from the public Treasury, while in estimating the value of the villages and land brought, or hereafter to be brought under assessment, a wide margin has been left in all doubtful cases.

Expended altogether from the commencement of the experimental enquiry in 1843 up to the end of April 1856.....Rs. 7,96,006 1 3

Against which has to be set off revenue.

Of which Rupees 1,58,467-0-9 have been, and Rupees 2,73,306-5-5 will, after the lapse of one, two or three lives, be recovered... .Rs. 4,31,773 6 2

15. Three-fourths of the amount shown in the last para. as either immediately or prospectively recovered, represent annual revenue which, but for the enquiry would have been alienated hereditarily. In other words, while the annual interest of the whole sum (Rupees 7,96,006-1-3) expended amounts at five per cent, but to Rupees 39,800-4-10 a *permanent annual revenue* of Rupees 3,69,683-0-11, or nearly one hundred times the amount, has been or will be secured.

16. There is another and an important item of recovery, to which I have not yet adverted, and which has not been included in the preceding statements. It consists of the assessment imposable on the land, which each minor Inam may, after reduction to its legitimate extent,* be found to comprise. This reduction, which is only practicable after the completion of the Revenue Survey, has been as yet confined to a very small portion of the Southern Mahratta Country, with a result, however, sufficiently indicating the extent to which the revenue has suffered from these encroachments. On measuring 1,081 minor Inams, assessed at Rupees 24,759-12-0 per annum, in 611 cases, land has been found held in excess of the original grant, the aggregate annual assessment of such excess being Rupees 4,388-4-0.

17. Should this be the condition of the minor holdings generally,† it follows, that in every hundred Rupees of assessment, seventeen will be recoverable, irrespective of the nature of the decision which may be passed, or to apply this to the 65,000 minor holdings referred to in para. 12, their annual assessed value is nearly fifteen lacs of Rupees, so that, supposing an hereditary title conceded to only one half of them, there would, out of this, be a clear annual recovery of assessment on the land held in excess of the original grant, amounting to considerably more than one lac of Rupees.

18. I should leave this portion of my Report very incomplete, were I to omit a succinct narrative of the proceedings of the Assistant Inam Commissioner, Mr. Chapman, to whose separate charge Government entrusted the settlement of the claims of the Southern Jageerdars to compensation, in lieu of transit duties abolished by Act I. of 1838. Whether on the score of their successful financial result; of the ability with which they have been conducted, or of the startling fraud which they have disclosed, these proceedings demand a more than cursory notice.

* i. e. the extent at which it will be continuable in the event of a valid title being found to exist.

† In some Collectorates, matters will probably be found much worse. In Sholapoor the encroachments have been estimated at fifty per cent. of the alienations.

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19. On the 17th July 1855, Mr. Chapman reported (No. 34) the Chief of Koorundwar* to have obtained by the production of the forged accounts more than six times the amount of the bond to which he was justly entitled. Government, after a careful review of Mr. Cahpman's proceedings, passed the following Resolution :—†

" The Right Honorable the Governor in Council regrets to find, that under the cir-
" cumstances which Mr. Chapman has brought to light in his present Report, no doubt
" whatever can remain as to the disgraceful fact of the Koorundwar Chief having submitted
" fabricated accounts in proof of his claims on Government for compensation for the aboli-
" tion of Transit duties."

" 2. Without following Mr. Chapman in the several calculations through which he
" arrives at the amount of Rupees 4,947, as that at which the compensation should be fixed
" (some of which appear to be rather arbitrary, more especially the deduction of 50 per
" cent. made on account of Town duties), His Lordship in Council considers that it is suf-
" ficiently proved that this Chief has clearly received from Government more than his just
" amount of the bond, with interest on the same, to which he would have been held entitled,
" had he acted with common honesty and fairness."

" 3. He has, however, in order to obtain from this Government an increased compen-
" sation, had recourse to the most dishonest and unworthy practices."

" 4. The circumstances under which this fraud has been perpetrated aggravate its
" opprobrious features."

" 5. The British Government, of its own accord, and with an extreme liberality, vo-
" luntarily took upon itself to compensate this Chief for the direct loss sustained by him
" from the abolition of Transit duties. A measure from which he himself derived the
" greater share of indirect and collateral benefit, inasmuch as the greater part of those
" duties was probably contributed by the inhabitants of his own villages. At all events,
" he and his people profited from the measure in common with the rest of the community,
" and the British Government was not obliged by law to offer any compensation whatever."

" 6. His Lordship in Council, setting aside the fact that this Chief has already received
" more than his just dues, considers that, as a general rule, the production of false accounts
" is, of itself, a sufficient reason for withholding all compensation whatever in similar cases,
" and he accordingly decides that no further payments be made on this account to the Chief
" of Koorundwar."

" 7. Copy of this Report, and the Government Resolution, to be forwarded for in-
" formation to the Political Department."

20. On the 25th July 1855, Mr. Chapman, in reporting (No. 35) the Chief of Shedbal, (also a member of the Koorundwar branch of the Putwurdbun family) to have obtained by the same objectionable means three times the amount of the bond to which he was justly entitled, and to have therefore no further claim on the State, thus concluded.‡ " Whether any further measures are required, should Government concur with
" me in considering the foregoing evidence conclusively to prove the personal complicity of
" the Chief in these disgraceful transactions, I have not thought it my duty to discuss, but I
" would not be supposed to have overlooked the startling fact of the criminal and civil juris-
" diction of an extensive District, being at present in the hands of a man whom I am afraid
" there are every grounds for pronouncing guilty, of corrupt and deliberate forgery."

21. The decision¶ of Government on this case was as follows :

* Belongs to the Putwurdbun family.
† No. 3641, dated the 30th August, 1855.
‡ Para. 19.
¶ No. 3643, dated the 21st and 30th August, 1855.

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" The Right Honorable the Governor in Council concurs with Mr. Chapman in the " conclusion that Trimbuck Rao Appak Rao Saheb Shedbalkur, has knowingly submitted " false accounts and attached his signature to the same."

" 2. The remarks* recorded by His Lordship in Council on Mr. Chapman's report, " on the claims of the Koorundwar Chief, apply equally to this case."

" 3. No further compensation is to be paid on account of Transit duties to the Shed- " balkur Chief."

" 4. Copy of this report should be transferred to the Political Department, with re- " ference to the two concluding paragraphs, the subject of which will be considered in that " Department."

22. On the 20th August 1855, Mr. Chapman reported the Baee of Ramdroog to have obtained, by means of false accounts, upwards of twenty-six thousand Rupees, the annual sum to which she was justly entitled, never having amounted to one-twentieth of the amount. " What means are (Mr. Chapman added) to be taken for the recovery of this " large sum, or what, if any additional penalties are to be inflicted, it is not of course for " me to suggest. But I would respectfully draw the attention of Government, to the fact, " that the Baee Saheb, of Ramdroog, is renowned throughout the Southern Mahratta Coun- " try for her great aptitude for affairs, and for the close and personal supervision she ex- " ercises over the management of her Estate. I must therefore record it as my opinion, " that these shameful frauds cannot be attributed to designing and unscrupulous subordi- " nates, but must be held to have been shared in, if not to have originated with, the claim- " ant herself."

23. In this case, the circumstances set forth by Mr. Chapman were held† by Government to prove " a deliberate fraud committed on Government, by Kadha Baee Saheb, of Ramdroog," and it was determined that the recovery of the sum, fraudulently obtained, should be insisted on.

24. Similar fraud on the part of the former Chief of Moodbole, brought to notice by Mr. Chapman, on the 20th August 1855, was thus noticed‡ by Government.

" That there has been gross deception practised on Government in this case, is suffi- " ciently evident. His Lordship in Council, however, remarks that the existence of fraud " was brought to the notice of Government in 1844, and any punishment which such " fraud may merit can hardly be now awarded without an appearance of inconsistency " which would be better avoided."

25. Mr. Chapman in recommending¶ the rejection of a claim preferred by the Chief of Jumkbundbee, a member of the Putwurdbun family, stated :

" For the reasons already assigned, Government would, under the ordinary settlement " Rules, be quite justified in declining to grant any compensation whatever in the case of " Purgunnas Gotteh and Biddree. But I am of opinion that irrespective of these reasons, " a refusal to do so would be the mildest form in which they could mark their sense of the " frauds that have been attempted to be practised on them. It is true that no imputation " attaches itself to the present Chief (who was a minor at the time of their occurrence) of " having personally participated in these disgraceful transactions, but it must be borne in " mind, that in these cases we are not dealing with the claims of individuals, but with those " of a State, for the acts of which its representative, whoever he may be, must be held res- " ponsible." Government on the 12th November 1855, No. 4730, rejected this claim, " on " the grounds of the frauds attempted."

* Quoted in para. 19 of this letter.

† Resolution No. 5301 passed by Government, in the Revenue Department, on the 17th December, 1855.

‡ No. 38, dated the 7th January, 1856. ¶ No. 52, dated the 18th September, 1855, para. 18.

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26. On the 15th September 1855, the Chief of Sanglee* was represented by Mr. Chapman to have obtained upwards of half a lac of Rupees by fraud, "the most impudent and barefaced" which had up to that date come to his notice in connection with the enquiry. Mr. Chapman thus concluded† his letter—

"In concluding this Report, I can add little to the general remarks which I have already "submitted in the cases noted in the margin, on the subject of these extensive frauds. That "they have been attempted is, I believe, a matter of general knowledge throughout the "Southern Mahratta Country. That to a certain extent, and up to a certain period, they "have proved successful is undoubtedly equally well known, and it must now become "public that the claims of nearly every one of the Chiefs have, after a careful enquiry, been "found to have been supported by deliberate and gross forgery. It only remains to determine, whether this forgery is to be visited with any penalty beyond the mere withholding of compensation. I am humbly of opinion that it should, and that too, with one of a "very marked and condign character, for otherwise the exposure which has taken place "must, I fear, in many respects do more harm than good, inasmuch as it will tend greatly to encourage and strengthen the belief that frauds which, in the ordinary course of law, "would entail severe punishment on conviction, can in the case of persons enjoying great "and peculiar privileges, and entrusted with the dispensation of Civil and Criminal justice "throughout a large province, be attempted with the certainty of their discovery, entailing "no greater inconvenience than the failure of the object sought to be attained by their perpetration."

27. Government were of opinion :—‡ "The proofs adduced by Mr. Chapman of the "submission of forged accounts in support of the Sanglekur's claims for compensation for "the abolition of Transit duties, are so conclusive as to exclude all doubt of the dishonorable "advantage taken of the liberality of this Government,"—and they further determined on considering in the Political Department, "what measures should be taken to recover the "amount of which they have been defrauded, and to mark their sense of the disreputable "means by which the fraud has been effected."

28. In his report, No. 5, dated the 5th January 1855, Mr. Chapman brought to notice a very flagrant attempt on the part of the Agents of the Chief of Meeruz¶ to bribe his head Carkoon, and thus obtain the admission of their master's claims. Mr. Chapman also reported the discovery among some papers attached by the Political Agent, of "complete and literal translation in Muratha" of the former Collector's reports on the same claims, a circumstance which he (Mr. Chapman) held to "corroborate the fact of the Collector's Establishment, having been in communication with the Chief and his Agents."

29. Government, on learning the attempt which had been made to corrupt Mr. Chapman's subordinate, issued the following instructions :—§

"The Right Honorable the Governor in Council does not think that the investigation "should be abruptly closed, but that it should be carefully and completely carried out, "and desires me to state that on the receipt of your full report, he will be prepared to consider what amount of compensation shall be finally awarded to the Chief of Meeruz on "account of these imposts."

* Of the Putwurdbun family. † Para. 24.

‡ Nos. 4668, dated the 7th November, 1855.

¶ Also a Putwurdbun. It will thus be seen that in five (paras. 19, 20, 25, 26 and 28) out of the seven cases herein described, these disgraceful acts have been committed by the highly favored family to which, at the fall of the Peishwa, concessions were made, politically expedient no doubt, but at the same time far greater than demanded by any thing in the conduct of the Putwurdbuns themselves, whose family had no claim whatever to consideration on the score of antiquity, their name and power having had no existence seventy years before the introduction of British rule.

(Signed) T. A. Cowper, *Captain.*
Officiating Special Commissioner.

§ Political Secretary's letter, No. 1065, dated the 5th March 1855, para. 3.

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30. The following are the remarks made* by the Honorable Court of Directors, on becoming acquainted with the foregoing circumstances ?

" The enquiry in progress by the Inam Commissioner, into the claims of the Jageer-" dars to compensation for abolished Transit duties, has elicited results extremely discredit-" able to several of the Chiefs, and especially to Gungadhur Row Bala Saheb of Meeruz. " Mr. Chapman, the Assistant to the Inam Commissioner, received information which, " though anonymous, led the Political Agent, Mr. Inverarity, to search the house of Bapoo " Beedkur, the son of a former Vakeel of the Meeruz Chief. Papers were there discover-" ed, which proved that fabricated accounts were being prepared, as the foundation of the " claim to compensation of the Customs of Luxumeshwur, (the part of the case which had " not yet been disposed of) and left little doubt that the compensation already awarded to " the Chief for the Customs of Meeruz itself, had been largely increased by similar fraudu-" lent practices. In order to recover the papers which contained these disclosures, the " Chief's Vakeels offered a large bribe to a Carkoon in Mr. Chapman's office, who made " the circumstance known to his superior, and the result was the apprehension of the Va-" keels in the act of paying a portion of the bribe. You had not come to any decision, as " yet, respecting the notice to be taken of this guilty transaction, having reserved the ques-" tion (as well as that of the reward to be conferred on the Carkoon for his meritorious con-" duct) until Mr. Chapman's enquiry into the original fraud should be completed, but it " is of the utmost importance to visit such misconduct with condign punishment, and to " mulct the Chief in the entire amount of the compensation awarded to him, or claimed by " him, we should not consider a penalty too severe for the double delinquency, provided " the Chief was, as is believed, cognizant of the purposed fraud, you will act accordingly ; " and if you inflict this penalty, we are of opinion that you should notify your decision by " a proclamation, in which you should state that the discovery of similar frauds in any " other case would bring upon the Chief, practising them, a similar punishment."

31. On the 10th February 1856, Mr. Chapman submitted the full Report (No. 4,) required by Government, and showed that by means of forged accounts between thirty and forty thousand Rupees had been obtained. Mr. Chapman thus concluded,—†

" As this is, probably, the last opportunity I shall have, of referring to the extensive " frauds committed by the Southern Mahratta Jageerdars in support of these claims, I trust " I may be permitted respectfully here to point out to His Lordship in Council what ap-" pears to my humble judgment, the absolute necessity of visiting these offences with mark-" ed and severe punishment. Viewed simply as a means of future self-protection, the in-" fliction of a heavy penalty at the hands of Government seems absolutely requisite. For, " unless this follows detection in each and every case, it must be idle to expect that any " effectual stop can be put to this disgraceful system ; or that the forgery and conspiracy " by which these Chiefs have, from first to last, endeavoured to support their spurious " claims, will not be brought into play whenever an opportunity of robbing the public re-" venue may present itself.

" Viewed, however, as a means of upholding common public morality, the urgent ne-" cessity for marked punishment becomes much more apparent. For, with the nefarious " example set them by those to whom they must look for protection and justice, what can " be expected from the people whose interests have been committed by the British Govern-" ment to the keeping of these Chieftains, though certainly, it is believed, by the terms of " the ' Treaties,' during their ' *good behaviour*' only ?"

* Political Despatch, No. 31, dated the 19th December 1855, para. 3.

† Paras. 30 and 31.

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"The policy of exempting these classes from the operation of that law, which "elsewhere is the law for the rich as well as the poor, has long ago been questioned by "men of the first ability and experience. Any doubt that may remain on this subject "must be effectually dispelled, and this exemption considered and treated as a public evil, "in cases where, like the present, protection to life and property throughout a large pro-"vince, can only be obtained at the hands of those, who themselves, with the greatest ef-"frontery and impunity, violate that law, with the administration of which they are entrusted."

32 Government on the 1st May 1856, resolved, in the Political department, that the amount overdrawn by the Chief of Meeruz should be recovered from him; that a fine of Rupees ten thousand should be imposed on account of the attempt to bribe a Native officer of Government; and that the punishment should be notified, in accordance with the opinion of the Honorable Court of Directors.

33. The detection of these frauds has resulted in the recovery of upwards of two lacs of Rupees overpaid during former years, and has prevented the payment of Rupees 28,600* per annum, which would otherwise have been sanctioned hereditarily. Government have intimated† to Mr. Chapman their entire satisfaction "with the industry, in-"telligence and zeal with which he has prosecuted the difficult enquiry entrusted to him," and have expressed their intention of bringing his services to the special notice of the Honorable Court of Directors.

34. This completes my statement of what has been done in the Districts, in which Act XI. of 1852 is in operation, and brings me to the six Guzerat and Concan Collectorates, in which all claims to hold land exempt from assessment must be adjudicated according to the provisions of Regulation XVII. of 1826, and Regulation VI. of 1833. The value assigned in the annual Jummabundee Returns to the alienations of land revenue in these Collectorates, is as follows—

Collectorate.	Gross Revenue.				Alienated.				Remaining.		
Tanna.....	21,65,187	7	4	=	2,05,140	10	8	=	19,60,046	12	8
Rutnagaree.....	8,66,416	3	5	=	76,382	11	9	=	7,90,033	7	8
Surat.....	24,81,882	3	10	=	5,04,620	10	9	=	19,77,261	9	1
Broach.....	23,73,981	3	7	=	6,56,271	10	1	=	17,17,709	9	6
Ahmedabad.....	22,76,010	2	0	=	8,28,471	0	8	=	14,47,539	1	4
Kaira.....	24,64,437	1	4	=	8,53,783	1	1	=	16,10,654	0	3
Total..	1,26,27,914	5	6	=	31,24,669	13	0	=	95,03,244	8	6

35. Merely to state the amount of the alienated Revenue, and to add that the law under which claims are adjudicable, has proved insufficient and inoperative, would be to keep out of sight facts which require the most careful consideration, in determining how, at this late date, an alienation settlement can best be effected in these Collectorates. The Reports of the late Revenue Commissioners to be found in No. XXX. of the Selections (pages 81 to 124), sufficiently describe the extent to which the enquiry had been neglected, but they make no mention of the other and still more serious difficulties which specially demand the attention of Government.

36. A very large amount is annually disbursed in Guzerat on account of "Kothlee Sauth."‡ The payments are exceedingly numerous, but of their origin little can be correct-

* Representing at five per cent. on immediate recovery of nearly six lacs of Rupees

† No. 2286, dated the 25th June, 1856.

‡ I have been able to discover the following annual payments, which, however, I do not believe to represent the whole of the disbursements.

	Rs.	A	P.
Kaira.....	28,376	14	10
Ahmedabad.....	4,724	15	0
Surat.....	1,441	6	0
Broach.....	7,208	0	0

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ly ascertained, beyond the fact of their having been, for the most part, made at the discretion of Native subordinates, and of their having been during the last forty years left entirely under their control. They are said to have been made on account of land alienated under the former, and resumed by the British Government, but there is not a trace of the original alienation, and little information regarding the resumption. The hereditary officers have withheld every account of the former rule, which would, if forthcoming, probably show the alleged alienation never to have existed at all, while even of the resumptions said to have been made *after* the introduction of British rule, there is scarcely any record. Some of them are attributed to the village or district officers, and some to verbal orders passed by the Collector or by his Assistants. It is, however certain, that at present large payments are made from the Government Treasuries which have never been sanctioned by any competent authority, and the very existence indeed of which, appears during nearly thirty years to have remained unknown to the Government, while even up to the present day they have not been subjected to audit. On the contrary, the Native officials have paid them how, when, and to whom they pleased, and may, for all that has existed in the shape of checks or control, have themselves been the real recipients.

37. In the Kaira Collectorate, many "Kothlee Sauth" payments appear to have been made under circumstances which, were original orders forthcoming, would show further continuance to be improper and uncalled for. How these documents have however been made away with by the hereditary officers, has been thus explained* to me by the Collector: "Some of the Sauths fixed in the early times of the present Government, appear to "have been fixed on account of land held on invalid title, on which account sometimes the "land was entered to be enjoyed *Free*, or paying very light rent, for a few years. In "other cases the land was entered as Sullamee, and Kothlee Sauth, fixed for a certain "number of years; but as some of these proceedings are not forthcoming, it is impossible "to know the exact ground of the settlement. Perhaps, the whole of the different Dufters "in the Talookas being carefully searched through, might bring to light some papers on "the subject, but I am not sanguine that such would be the case, being of opinion that "our hereditary district officers—the most useless set of Government servants at present "employed, though the best paid, have taken care that nothing of the sort should be forthcoming."

38. Para. 16 of the Collector's letter from which the foregoing passage is quoted, describes in the following terms another glaring abuse:—

"In some of the Purgunnahs of this Zillah, where the Nerwa tenure is in vogue, "I am given to understand that Sauth is paid on account of land, in the hands of the Nerwadars, and, therefore, when cultivated, the Nerwadars enjoy the profit; for instance, "in the Borsud Purgunnah, the sum of Rupees 606-9-7 is yearly paid on account of land, "the profits of which are yearly enjoyed by the Nerwadars, so that, actually, Government "is paying a sum of money on account of improper alienations in former times by the "Patells, and permitting the Patells to enjoy the land they had so improperly alienated."

39. The whole of these payments are now claimed as hereditary, and suits are filed in the Civil Courts, successfully to defend which, is of course impossible. Indeed, the hereditary officers who have fraudulently concealed, and made away with the documents, affording the only means of arriving at the truth, not unfrequently follow this up by themselves claiming the allowances and filing suits to recover them.

40. It is only a few weeks ago, that my Assistant, Mr. Arbuthnot, brought to my notice the existence of a village in this (the Kaira) Collectorate not during the last forty years shown in any public account whatever. It is, of course, now claimed as alienated. To suppose that this concealment has been effected without the knowledge of the hundreds

* No. 272 B, dated the 28th March 1856, para. 15.

of Native officials who have served in the district, is, in my opinion, to suppose an impossibility. Many of them must have passed through, and visited the village, and have probably at times remained in it, and besides all this, it has to be asked how the hereditary officers, who must all along have been well aware of the real facts of the case, have never brought them to notice. The reply is to be found in the following statement* of my Assistant, which correctly points out one of the greatest difficulties in the way of an equitable settlement of the alienated revenue of this Presidency.

"It would be supposed that these men, drawing large allowances from the State, would "assist us in endeavouring to find out abuses, and to amend, as far as possible, the unsatis- "factory state of alienations in their districts. The very contrary, however, appears to "be the case. In every possible manner, they throw obscurity over the subject, and give "as little information as they can. This, though, has been their practice from the time "when we first took the country till to-day. Of these Mahoonda District Hereditary Offi- "cers, the Mamlutdar of that district writes, that they are all a bad set, that he can place no "reliance on them whatever, and that they never will give a direct answer, so that he "derives no assistance from them."

41. In 1831, Government ordered† the remission of assessment on lands held in the Kaira district by Bhats (a certain class of religious mendicants), *provided* the alienations were not found to be recent usurpations, of a date subsequent to the introduction of British rule. With this clear order before him, the Sub Collector, Mr. Mills, instead of making the enquiries necessary to carry it out, restored indiscriminately every piece of land claimed by a Bhat throughout the Sub Collectorate, thus relinquishing for ever annual revenue to the amount of nearly two thousand Rupees. It cannot be surprising that, under an administration, of the laxity of which this is neither a singular nor an extreme instance, the revenue of Guzerat shall have suffered, and should have become burdened with unauthorized and fraudulent alienations, the recovery of which is now in too many cases impossible.

42. In 1850, the Revenue Commissioner reported‡ to Government the discovery in this (the Kaira) Collectorate, of cash allowances having been paid for twenty years after the death of the alleged recipients, on signatures successfully forged during the whole of that period. In these frauds many of the Native officers, from the Dufterdar downwards, appeared to have been more or less implicated. There was, however, a usual difficulty in bringing guilt home to any one. It turned out that the Revenue Commissioner's positive orders had been disregarded, that there had been no system whatever, and that no attempt had ever been made to define and enforce responsibility.

43. Throughout Guzerat enquiry regarding succession to alienated lands and villages, appears to have been completely neglected. The loss of public revenue thus incurred must have been already great, and it is to be feared that much of it will be permanent, owing to the absence of any trustworthy record or, indeed, in most cases, of any record at all. In some parts of Guzerat, the enormous land revenue alienations have literally been left without interference, check or enquiry of any sort, so much so, that I have found it impossible to determine from any public record, the actual holders even of large alienated villages. How, under such a state of things, these very villages have been from time to time attached and managed by the Collector, under decrees of the Civil Courts, it is not possible to understand. Every thing has been, and indeed still is, in confusion, and a mere toleration of confusion is, I need scarcely say, in matters like these, but too often synonymous with plunder, fraud, and oppression.

* Mr. Arbuthnot's letter, No. 54, of the 12th July 1856, para 8.
† The Secretary with the Hon'ble the Governor, No. 130, dated the 26th December 1831.
‡ No. 1709, dated the 1st July, 1850.

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44. The necessity of preserving a record of the genealogy of the families of the original grantee or recipient of revenue alienated hereditarily is sufficiently obvious, but has nevertheless been completely lost sight of, the consequence being that many of these alienations, which ought long ago to have lapsed, have passed into the hands of persons possessing not a shadow of legitimate title to them. This neglect is the more remarkable, when contrasted with the emphatic declaration made* by Mr. Elphinstone a few months before he became Governor of Bombay, that the prospective reduction of the alienations was chiefly to be effected "by vigilance in preventing the advantages of the grants being enjoyed by imposters after the extinction of the individuals or the families for whose benefit they are intended," up to the present time, however, there is, as I represented on the 2d February 1854, no effectual check whatever upon the improper continuance of alienations, though in the Military Department, payments, comparatively small in amount, have all along been subjected to a careful scrutiny. This evil will be in a great measure remedied, should the Draft Act referred to in para 70 of this letter become law, and the introduction of some sort of registry of the families of the holders of hereditary stipends, &c (now under consideration) will probably complete the protection required against frauds hitherto perpetrated with impunity.

45. In the Broach Collectorate, the alienations of land revenue amounted to the enormous sum of six lacs of Rupees, and yet, in regard to one-half of these, no investigation whatever has been made since the acquisition of the country. It does not, however, follow that matters are in any thing like the state in which they were found at the introduction of British rule, for from that time, the alienations have, without doubt, been gradually but steadily increasing; wherever there has been enquiry, the loss of revenue occasioned by encroachments has been, as explained in para. 16, found excessive, and these encroachments have, of course, been made almost at will in districts in which there has been no enquiry at all, and which, moreover, do not appear to have been surveyed.

46. Even in the other half of the Broach Collectorate, the alienation enquiry, long considered a perfect one, now turns out to have been in many respects worse than useless, for, while it has completely failed in much of that which it purported to effect, it has served to render present rectification exceedingly difficult, if not impossible. In 1851 the Revenue Commissioner brought† to the notice of Government that the Survey Maps showed alienations not in existence; that the resumptions ordered by the survey had not been enforced, that the Government waste lands had been subjected to constant encroachments, against which the incorrect Survey Maps afforded little, if any, protection; and that, in some respects, no dependance could be placed upon the neatly executed Survey Records. To use the Revenue Commissioner's own words,—

"The object of the Committee (however impracticable, and little conversant with the feelings of the people) was to concentrate all alienated lands in one division of the village, and it is possible that instances may be found of parties (who profited by the exchange) availing themselves of this arrangement, and not improbable that they may be holding both their old and new land, but from all I can learn, the arrangement remained a dead letter, and from the readiness of the Patells in agreeing to a measure notoriously popular, and the little objections that seemed to be urged against it at the time, it would almost appear as if a conspiracy pre-existed to counteract the proceedings of the committee."

"Collector's para. 16, Appendix D."

47. Regarding the Broach cash allowances, I have not as yet very specific information. From the cases which have as yet come before me, however, I have no reason to suppose that past proceedings there have been exceptional in their regularity. On the contrary,

* Circular, dated the 24th July, 1819.

† No. 447, dated the 20th February 1851.

that which I have seen has led me to believe enquiry as requisite there as elsewhere. Though less in amount than in Surat, the money payments in Broach are still large. The Collector in lately reporting on one of these claims, observed—*

"This case is only one of many similarly circumstanced in this Collectorate, where "grants are in the possession of parties having no more authority for them than a very "remote degree of affinity with the original grantee. Their number is legion, and there-"fore, beyond the power of the Collector to examine and report upon separately, without "casting his other revenue work entirely on one side."

48. In the two Concan Collectorates, though matters seem to have been better managed than in Guzerat, there has, nevertheless, been little done towards a final and complete settlement of the alienations, which are very numerous. In the first instance, the Supreme Government directed† that the Settlement of the Concan should be effected on principles similar to those applied to the rest of the territory conquered from the Peishwa. These instructions, however, were departed from, though not avowedly, and the inconvenience is now being felt in the shape of claims and appeals entailing the most troublesome and laborious enquiry, as there are no recognised principles or rules which admit of their summary rejection.

49. In few matters has the past revenue management of the Concan been more defective than those appertaining to forest rights, which, originally vested exclusively in the State, have year after year, been encroached upon, and have been invalidated by acts of omission as well as commission on the part of Government and of their Officers, to an extent rendering it exceedingly doubtful, in how far all the efforts of the present able and energetic Conservator, Dr. Gibson, can now effectually redress these abuses.

50. Formerly, the greater part of the alienations throughout the Concan consisted of payments in kind. The system was open to great abuses, the detection and exposure of some of which in 1844 by the Revenue Commissioner, Mr. Blane, led to the allowances in kind being in the Rutnagaree Collectorate commuted into money payments. As far as I have been able to learn, the commutation appears to have been effected at the expense of the public revenue, but however this may have been, the change of system was a great point gained, and it seems extraordinary that up to the present time, nothing whatever should have been done in the adjacent Collectorate of Tanna, throughout which, payments in kind are still in force, and fluctuate annually with the market prices, a most objectionable system, regarding which there can scarcely, I apprehend, be two opinions.

51. In the Tanna Collectorate, upwards of thirty-four thousand Rupees appear to have been annually paid to village officers since the introduction of British rule without‡ any enquiry whatever. These payments are said to have been made on the authority of accounts of the former Government which are now in scarcely a single instance forthcoming. The hereditary accountants, whose emoluments form such a heavy item of public expenditure, have, with scarcely an exception, concealed every account which they may have formerly produced. This is, in fact, the case throughout the country, and has up to the present time prevented anything like a thorough enquiry into matters of far greater public importance than the one here instanced.

52. Of the four Guzerat Collectorates, that of Surat is, as far as my enquiries have yet enabled me to judge, in by far the worst state.¶ It seems to be, in fact, in a state

* No. 366, dated the 15th June, 1855.

† Mr. Chief Secretary Adam's letter, dated the 26th September, 1818.

‡ Collector of Tanna, No. 248, dated the 8th December 1855.

¶ Government, on first being made acquainted with these matters, and while in ignorance of many of the serious disclosures which have since taken place, considered the frauds to be "of a very serious nature," and declared "their existence for so long a period without discovery, throws much discredit on the former administration of the Collectorate."—*Revenue Resolution, No. 2096, dated 18th May 1855.*

which nothing short of the facts before me would have induced me to believe possible. For the last fifty years there appears to have been one unbroken system of public robbery and fraud, carried out chiefly by the servants of Government. Real control there can have been very little, for the Native subordinates seem to have done pretty much as they pleased. There are grounds for believing the establishments of the Adawlut and of the Collector to have been in league* to defraud the public revenue. Forgery has been resorted to without scruple. Returns, glaringly false, have been submitted to Government, and on sanction thus obtained, very large sums have been disbursed. Native officials have managed to introduce their relatives and connections into every vacant situation, until a sort of family league has been formed, alone sufficient to paralyse any administration; convicted fraud has met with reward instead of punishment. In the face of the most obvious necessity, enquiry has been imperfectly made, or altogether neglected. Enormous sums of money have been paid in the most bare faced manner to persons having no right whatever to receive them. Precepts from the Civil Court have remained for years unexecuted, and have been found by my assistants thrown aside just like so much waste paper. Large allowances,† nominally paid solely to ensure the efficiency of the Police of the country, have been almost, since the introduction of British rule, in the hands of the Adawlut and the Collector's subordinates, who have, of course, had a direct interest, in their improper continuance. The most peremptory orders of Government have never received the slightest attention. The public records have been at the mercy and disposal of the persons especially interested, in tampering with and destroying them. There has been, in short, for nearly half a century, a defective system of revenue administration, thoroughly to reform which will assuredly require the whole power of the Government.

53. Government have issued the following orders‡ in connection with some of the proceedings in the Surat Collectorate lately brought to their notice.

"Copies of these Reports¶ to be furnished to the Special Commissioner, Captain Cowper, who should instruct Mr. Ravenscroft to institute criminal proceedings, where the evidence seems sufficient to ensure conviction.

"2. Captain Cowper should submit to Government the names of any public servants who may appear to deserve punishment, although the evidence against them may not warrant a criminal prosecution."

"3. The cases in which these disgraceful frauds have been perpetrated, should be most carefully investigated and separately reported on, when orders will be issued regarding the disposal of the several claims for the allowances connected with them."

54. The instructions are being carried out, but the difficulty of bringing to justice the guilty parties, is very great. The implication of the establishments of all grades is so general, that to obtain parole evidence is almost impossible, and care has been taken to remove most of the public records, likely to be of any use in the enquiry.

55. The measures proposed for the removal, of one of the most serious difficulties, have been already submitted to Government, in my letter§ below transcribed.

"To afford any prospect of successfully prosecuting the enquiry regarding Guzerat alienated revenue, it is absolutely necessary, that some effectual measures should be at once adopted to break up the family league among the subordinates of Government,

* Collector to Revenue Commissioner, No. 1425, dated the 15th December 1853, para. 16.

† Thus described by the Police Commissioner, dated the 23rd June 1855, "a large nominal sum supposed to be disbursed in aid of the Police and public security is as completely misappropriated, as if it were stolen out of the Treasury."

‡ No. 1452, dated the 24th April 1856.

¶ "From Mr. Rogers, Settlement Officer in Guzerat, numbered 109 and 111, dated the 12th and 19th October, 1855."

"From the Revenue Commissioner, Northern Division, No. 3261, dated 12th October 1855."

§ No. 74, dated the 12th May, 1856.

" which apparently, extends from one end of the province to the other. In Surat* the ex-
" tent of this evil is so great, that it is alone almost sufficient to account for the enormous
" fraud, corruption, and mismanagement with which it is really not too much to say, that
" I find every public transaction that comes before me tainted. I request the sanction
" of Government to my corresponding with the Revenue Commissioner, and, if necessary,
" with the Judicial Authorities, with the view of effecting by transfer and exchange, such an
" alteration in this matter, as may leave some hope that the orders and intentions of Govern-
" ment will be carried out, and not obstructed and baffled by their Native subordinate Agents.
" Government, doubtless, recognize the impossibility of securing any just administration
" of our laws, so long as the Subordinate Agency on which so much must depend, may re-
" main corrupt and ineffectual. That Agency throughout the Surat Collectorate appears to
" be of a description, and in a state calcutated to render the law an instrument of oppres-
" sion and plunder rather than anything else."

2. " Cases will, by and by, be submitted to Government, illustrating the evil now
" brought to notice; their complete investigation, however is a work of time and difficulty,
" and one which must be preceded by the removal of obstacles such as this one."

56. The following is the order† passed by Government on the above letter.

" His Lordship in Council has no objection to Captain Cowper corresponding with the
" Judicial Authorities and Revenue Commissioner on the subject of his present communi-
" cation. The result of his enquiries should be submitted to Government when completed,
" and any transfers proposed must be subject to the approval of the Right Honorable the
" Governor in Council, to whom a full report of the circumstances which render it advisa-
" ble should in each case be made."

57. The means of furnishing any general information regarding the state of the Surat Adawlut are not within my reach, but I have already had evidence sufficient to satisfy me that the Collector was within the truth when he stated.‡ " The employés in my office
" have many relatives in the Adawlut, and I am confident that the interests of Government
" in Civil suits and Girass cases are often impaired by information surreptitiously convey-
" ed to the Vakeels and their relatives in the Adawlut." The practices thus described by the Collector are harmless, compared with the recent destruction¶ by some of the Adawlut subordinates of important public records, known to be urgently required by the Alienation Department, and the loss of which will probably affect the public revenue most injuriously, as the destroyed documents contained a mass of valuable evidence regarding the tenures and customs of the Girass, not to be found, it is believed, elsewhere.

58. How completely the public interests have been sacrificed in the Civil Courts, is well illustrated by the circumstances under which the decree of the Judge of Surat, Mr. Frere, declaring Girass payments entirely separate from, and unconnected with, the Government demands, was passed.§ Everything before the Judge tended to confirm such a view of the case; and the decision, which has been productive of no little public inconvenience, was inevitable; but it will scarcely be believed that most important documentary evidence in the case was never produced at all, but allowed to lie untouched among the Collector's records, whence it was subsequently brought to light by Mr. Ravenscroft, now my Assisttant.

* " See para. 16 of the letter, No. 1425, dated the 15th December 1853 from the Collector, Mr. Liddell, to
" the Revenue Commissioner, Northern Division, forwarded to Government by the latter Officer under date the
" 28th May, 1855, No. 2071."

† No. 1870, dated the 27th May 1856.

‡ Collector to Revenue Commissioner, No. 1425, dated the 15th December 1856.

¶ Reported to Government in Captain Cowper's letter, No. 680, dated the 5th August 1856.

§ On the 27th January 1858.

59. Besides the foregoing facts which do not admit of doubt or question, much has already come to my notice, affording evidence, as yet incomplete, but still quite sufficient to establish a very strong presumption that for many years past the Surat Establishments have been in league to defraud the public revenue, and have succeeded in doing so to an enormous amount. At this time Government have been included in a plaint regarding a Girass allowance filed in the Surat Adawlut against a Vakeel of the Court for nearly a lac of Rupees.

60. I have already submitted* to Government, my conviction that very many of the frauds committed in Guzerat are traceable to the manner in which suits affecting the public interests have been prosecuted in the Civil Courts. It is obvious that Government should possess the means of testing the working of the law under which claims to alienate public revenue have been adjudicated during the last thirty years, throughout one-half of the Presidency. I have, however, failed to obtain this information, and it seems that nothing of the kind has ever been required or called for, an omission which will in future be remedied, as each Collector has now been required† to furnish annually a Return showing the extent, result, and expense of the litigation regarding alienated public revenue carried on by Government during the preceding twelve months.

61. The Pleader at present employed by Government in the Ahmedabad Adawlut was, on the 21st October 1845, declared by the Judge, Mr. Remington, to have knowingly aided and abetted a conspiracy, and the production in evidence of a fabricated document. On lately learning this from my Assistant, Mr. Arbuthnot, I referred to the Collector, who informed me—" As copy of the Decree was not furnished by the Court, and no intimation " given to this department of the alleged participation of Gungadass Chubildass in the " forgery and conspiracy supposed to have been committed, no enquiry was made by this " department into the matter.

2. " Whether any enquiry was made by the Court, this department is not aware, but " it may be presumed a Vakeel of the Court, in large practice, and in the confidence of Go- " vernment, would not be allowed to hold his sunnud with such a stigma recorded against " his character, unless he had succeeded in establishing his innocency of the charge."

62. A subsequent reference to the Judge has elicited the information‡ that " no pro- " ceedings were instituted against Gungadass Chubildass, the Government Pleader, in " consequence of the opinion recorded by the Judge." It is to the man thus judicially charged with fraud of the grossest description, that the public interests have, during the last ten years, been entrusted.

63. In 1849 the Political Agent in the Maheekanta suggested¶ to Government that Girass allowances, amounting to upwards of ten thousand Rupees, then disbursed from the Ahmedabad and Kaira Treasuries, should, for the future, be paid from the Maheekanta Agency. The convenience of the recipients was the plea alleged in support of the arrangement, which Government, after consulting the Revenue authorities, sanctioned§ with, however, certain provisions suggested by the Collector of Ahmedabad and recommended by the Revenue Commissioner, but which, from that day to this, have not been fully attended to in Ahmedabad, while in Kaira they have never been carried out at all—and in the Maheekanta Agency the additional and gross irregularity has been permitted, of paying the allowances of absentees to the Patells of their villages. Of course, these payments have

* No. 34, dated the 16th April 1856.

† Government Resolution, No. 2390, dated the 1st July 1856.

‡ No. 472, dated the 5th September 1856.

¶ No. 8, dated the 5th January 1849.

§ Political Secretary's letter, No. 3720, dated the 6th September 1849.

not been audited. The rectification of some of these abuses has already taken place, and the enquiries now being made by my Assistant, Mr. Arbuthnot, who lately brought* the matter to my notice, will ensure the correction of the remainder.

64. The state of the Guzerat "Talookdaree" villages calls for enquiry, and some final settlement. As matters at present stand, the nominal holders are plundered in every direction, while, owing to the absence of any survey or other means of ascertaining their real value, the villages are leased entirely in the dark; there is no record whatever of the alienations, and the consequence is, that a village about to revert to Government, is at once partitioned out to Agents, Vakeels, money lenders and others whom, though without a shadow of title, it becomes very difficult to dispossess. The amount of revenue at stake here is very considerable, greater, I believe, in the opinion of the Collector of Ahmedabad where the villages chiefly lie, than that of any other description of alienation.

65. In the Kaira Collectorate, the condition of the "Mulleek" villages equally demands enquiry, which has been commenced by my Assistant, Mr. Arbuthnot, and will be vigorously prosecuted hereafter, when the preparation of the lists of alienations, which must precede every thing else, shall have been completed.

66. Another most difficult and laborious enquiry, supposed, I believe, by Government to have been almost completed, but of which a very large portion, apparently, has not even been commenced, and must devolve upon the Alienation Department, is the investigation of claims to compensation on account of duties and cesses abolished by Acts I. of 1838 and XIX. of 1844. In the Southern Division little remains to be done, but in the Northern Division there seems to be ample work for a well qualified officer. The Collector of Ahmedabad reports† that no enquiry has been made regarding a single claim in the Government villages of his Collectorate, and in Rutnagaree much of the settlement remains to be made, while there is not one of the six Northern Collectorates in which the enquiry has been completed.

67. The Thakoor of Bhownuggur has preferred claims on account of this compensation to an enormous amount, several lacs of Rupees as arrears, and an annual payment of upwards of seventy thousand Rupees. The enquiry regarding which already made, and which I have been desired‡ to scrutinize, is so palpably incomplete and insufficient, that the whole will have to be carried out de novo. As far as I am at present able to judge, proof is in many cases altogether wanting, and in others, that which has been adduced cannot be admitted without a scrutiny very much more effectual and minute than any to which it has as yet been subjected. The settlement of these claims, and of others which have been put forward by the Thakoor, will be a very difficult task, for which the services of a selected officer will, I believe, be required.

68. For the adjudication of claims to cash allowances, which, in Surat alone, amount to upwards of two lacs of Rupees, there are in Guzerat and the Concan at present literally no rules whatever. How this has occurred, and the measures which seem calculated to remedy so serious an omission, have been already submitted by me to Government in the following letter.¶

"2. Regulation II. of A. D. 1815, was passed with the object described in its preamble in the following terms.

"'It being essential that just and equitable rules should be prescribed for determining the continuance or discontinuance of allowances of those descriptions payable in

* No 78, dated the 1st August 1856.

† No. 730, dated the 20th August 1856.

‡ No. 298, dated the 30th January 1856.

¶ No. 219, dated 28th March 1856.

" ' ready money from the treasuries in the Zillahs of Surat, Broach and Kaira, or from " ' any of the treasuries within the territories now subject, or which may hereafter be sub- " ' ject to the Government of Bombay, the following regulation has been accordingly " ' enacted.'

" 3. Section II. of the aforesaid Regulation runs as follows :

" ' Pensions which may have been granted by the Native Government either wholly " ' or in part, as indemnifications for attumgah, ayma or other land (held by sunnuds con- " ' ferring a right in perpetuity) resumed by such Government, shall not be liable to re- " ' sumption on the death of persons who now receive them, notwithstanding that such re- " ' sumption made part of the original order issued for the confirmation of them, but are to " ' be regarded as property, and are to descend to the heirs of the present and future re- " ' ceivers, and are declared liable to be sued for and inherited in the same manner as other " ' property pensions.'

" 4. Section XV. of the Regulation aforesaid declares that—' The continuance of " ' all pensions, except those set forth in Section II. of this Regulation, shall, after the " ' death of the pensioners who now receive them, depend solely on the pleasure of Govern- " ' ment, and shall not be subject to cognizance or determination in any Court of Justice.'

" 5. By Section I. of Regulation I. of A. D. 1827, it was enacted—' All Regulations " ' issued prior to January 1827 are rescinded, except those maintained in force,' Regulation " II. of A. D. 1815 not being one of those thus maintained in force.'

" 6. Section XXI. of Regulation II. of A. D. 1827 defines the jurisdiction of the Zillah " ' Civil Courts which shall, it is declared, ' extend to the cognizance of all original suits " ' and complaints between Natives and others not British born subjects, respecting the " ' right to moveable and immoveable property, rents, Government revenues, debts, con- " ' tracts, marriage, succession, damages for injuries, and generally of all suits and com- " ' plaints of a civil nature.'

" 7. By Section XXII. of the Regulation aforesaid, it is enacted—' The jurisdiction " ' of the Civil Courts shall also extend over Collectors of the Revenue and Customs, and " ' generally over all public officers, whether Europeans or others, within the Zillah, for " ' acts done in their official capacity unauthorized by any established regulation.'

" I have in vain looked for any explanation of the grounds upon which (in 1827) this " sweeping alteration was made. I have been unable to find any thing on record even " alluding to the subject. It is certainly unaccountable, how so important a matter should " have been so completely overlooked, but that it was so overlooked, seems to be, so far as " I have the means of judging, certain.

" 9. It will be observed that Regulation II. of A. D. 1827, neither lays down nor " refers to any rules or principles for the adjudication of claims to allowances from the " Public Treasury, an omission alone sufficient to render anything like regular or systema- " tic procedure out of the question. How completely this has been the result, the decisions " passed in different Courts sufficiently show. That which one Judicial officer has con- " sidered the best evidence in support of a claim has with another ensured its rejection, " and rights (so called) have been solemnly defined and recognized which, under the former " Government, were never heard of. All this has added not a little to the almost inextri- " cable confusion and difficulty, which now pervade the enquiry regarding alienations of " public revenue in the Guzerat and the Concan Collectorates.

" 10. The other Presidencies appear to be free from this difficulty. In Madras, by " Regulation IV. of A. D. 1831, it will, the Secretary to the Madras Government has

" stated,* ' be seen that all personal or hereditary grants of money or of land are entirely " ' under the control of the Governor in Council, and that the Courts of Adawlut are " ' prohibited from interfering in any way with such grants, without the express permission " ' of Government.'

" 11. In Bengal, the Civil Courts are, it is stated,† not ' empowered by Law to " ' control and direct the disbursement of hereditary and other pensions and similar cash " ' payments from the Public Treasury.'

" 12. The best plan would, I think, be to give the force of law to the amended Rules " of 1842, which have received the sanction of the Government of India. A few modifi- " cations, however, of these Rules, which I can submit for consideration, should Government " concur in the general suggestion, seem to me required."

69. The following letter‡ addressed by me to Government refers to another matter for which the law makes no provision :—

" May I request the favor of being furnished with instructions as to how the attend- " ance of witnesses before the officers entrusted with the duty of enquiring into claims to " allowances from the Public Treasuries in Guzerat and the Concan, can and should be " secured.

" 2. I can find no specific legal provision for this, but the necessity of such attendance " is unquestionable. With regard to claims to exemption from the payment of land revenue, " provision has been made in Regulation XVII. of A. D. 1827. I would suggest a reference " to the Legal Remembrancer :—

" 1stly. Whether, under the provisions of Regulation XVII. of A. D. 1827, summonses " can be issued to persons whose evidence may be required in enquiries regarding claims to " cash allowances ?

" 2dly. If not, whether any other portion of the existing Regulations provides for the " enforcement of such attendance ?

" 3dly. If such attendance cannot be enforced under any existing law, how should the " defect be remedied ?

" 3. This question is one of great urgency, as pending its decision, enquiry may at " any moment come to a stand still, and in some cases, indeed, this has occurred."

70. Government, after receiving the foregoing letters, desired me to communicate with the Remembrancer for Legal Affairs, who drew up and submitted the draft (appended hereto) of an Act providing both for the adjudication of claims to allowances from the Public Treasuries, and for the attendance of witnesses before the officers directed to enquire into such claims, there being, as explained¶ by him, at present no law under which such attendance can be enforced, or by which an oath can be administered to such witnesses as do attend.

71. The last clause of the Draft Act has been framed in accordance with the instructions of Government, issued on the receipt of the following letter§ from me reporting the failure of an attempt to punish a very gross case of false personation :—

" I have the honor to report that the charge of forgery preferred, as directed, by " Government,‖ against the man Arjoona, has fallen to the ground in the Session Court, the " Judge having pronounced the act committed to be one not punishable by law.

* Mr. Secretary Bourdillon's Memo. dated the 31st July, 1855.

† Letter, No. 2156, of the 22d August 1855, from the Under Secretary to the Government of Bengal with accompanying copy of one, No. 1254, dated the 11th Idem from the Register of the Sudder Adawlut.

‡ No. 41, dated the 23rd April 1856.

¶ No. 42, dated the 10th May 1856, para. 3.

§ No. 302, dated the 21st March 1855.

‖ Para. 2 of the Resolution, No. 2483, passed in the Revenue Department on the 29th May 1854.

" 2. It seems absolutely necessary that, supposing the Judge to have laid down the " law correctly, measures should be taken to remedy a defect so seriously affecting the " public revenue. I will therefore, in the first place, briefly state the admitted facts of the " case which has been brought to trial.

" 3. The man, Arjoona, preferred a claim upon the public revenue in the name of a " deceased brother, entered as the recipient in the public accounts,—recorded in support " of such claim a statement, to which he affixed the signature of his deceased brother, add- " ing his own name as alias—and to complete the falsehood, furnished a genealogical table " of his family purporting to be a complete one, but in which he omitted his brother's " name altogether.

" 4. The following is an extract from the finding* of the Judge :—

" ' There can be no doubt, although the legal proof is not very clear, that the prisoner " ' did make these statements, and in making them, did personate his deceased brother " ' Balloo, for the purpose of obtaining the waiwat* held by the said brother. Assuming " ' that all this was done, and his own statement recorded A shows that it was done, the " ' Court cannot consider that the prisoner has committed the crime of ' forgery,' as de- " ' fined in Section 17, Regulation XIV. of 1827, wherein it is laid down ' that any person, " ' ' who shall counterfeit or fabricate any document, written instrument, or any signature, " ' ' seal, or mark on such, or shall alter or efface the same or any part thereof with the " ' ' intent of applying the same to a fraudulent purpose, shall be deemed to have com- " ' ' mitted forgery.' '

" ' The Court is of opinion, that the words ' document or instrument,' as described, " ' are not intended to mean a deposition or statement, and that a person giving a deposition " ' or statement, and signing the same with another party's name, cannot be deemed to have, " ' by so doing, committed the forgery defined in Section XVII. of Regulation XIV. of 1827; " ' he has probably committed the offence of ' false personation,' which is a criminal " ' offence in English law provided for in the Statutes II. Geo. 4th, and 1, Will. 4th, and 9 " ' and 10 of Victoria, but for which in that shape, no penalty seems to have been provid- " ' ed in the Bombay Regulation.'

" 5. This Judgment affects, I apprehend, *every payment from the Public Treasury,* " whether it be a Civil and Military pension, a guaranteed hereditary allowance, or any " other stipend. If I am right in supposing this to be the case, I need merely add to " what I have hereinbefore submitted my suggestion, that measures should be adopted " for rendering false personation legally punishable, the more especially as it is an offence " to the commission of which in this country the ease with which it can be perpetrated " holds out every inducement."

72. At present all claims to hold land wholly or partially exempt from assessment in the Concan and Guzerat Collectorates must, with a few unimportant exceptions, be adjudicated under the provisions of Regulation XVII. of A. D. 1827, and Regulation VI. of 1833. The complete misconception under which the latter of these Regulations was enacted was very fully pointed‡ out by the late Inam Commissioner, Mr. Hart, when discussing the provisions of Act XI. of 1852, previously to its final promulgation. Regulation XVII. of A. D. 1827, though not open to similar objection, is, nevertheless, any thing but free from omissions, which will in all probability prevent its ever effectually answering the purposes with which it was framed.

* Dated the 20th November 1851.

† i e. possession of land.

‡ Printed Selections No. XXX. pages 137 to 146.

APPENDIX No. 534

Inam Commission, Bombay.

73. But apart from the foregoing imperfections, there is one unquestionable defect owing to which these Regulations have up to the present time, remained inoperative, and must so continue, until provision shall have been made for the trial of claims by some officer other than the Collector, whose utter inability* to attempt the task, the experience of the last thirty years has now placed beyond doubt.

74. Government are not, I apprehend, prepared to recommend any radical change in the existing law as regards these alienations. If so, I would suggest that it should at any rate, be given a fair trial, and that for this purpose the Inam Commissioners and their Assistants, or any other officers duly appointed by Government, should be vested with the power to try claims to hold land exempt from assessment, which, under Regulation† XVII. of 1827, the Collector alone can at present exercise. This very simple alteration can be effected by the addition of a short clause to the Draft Act‡ herewith submitted.

75. I need not here describe, at any length, the circumstances under which the Hereditary Officers and others have been found in possession of concealed public records, by means of which alone, the recovery of revenue improperly or fraudulently alienated can be effected. A full account of this, and of the remedial measures proposed, will be found in No. XXIX. of the accompanying Selections from the records of Government. It is, however necessary, that I should briefly advert to one or two matters not yet brought to notice, but requiring, nevertheless, serious consideration in disposing of the general question. The Draft Act herewith submitted sufficiently provides, I think, for the recovery of records of the former Government lodged in territory subject to British jurisdiction, but must, to a very great extent, be inoperative, should there be no means of recovering these documents removed into foreign territory of the Nizam and the Guickowar, for instance, into one or the other of which, every valuable public document now concealed in the Deccan, and in Guzerat, will, in the absence of any provision on this head, assuredly be removed.

76. It seems therefore, that the Government of India should be moved to insist, as far as may be practicable, upon the right of recovering and searching for public records thus removed, and besides this, it is most necessary that the Guickowar's Government should furnish the accounts of Ceded Districts which ought long ago to have been given up; on this subject I lately addressed§ the Resident at Baroda as follows:

"May I request the favor of your informing me, whether it is in your power to obtain "from His Highness the Guickowar, the whole of the accounts of revenue management, for "at least *ten* years previous to the cession or exchange, of the districts and villages, from "time to time ceded, or given in exchange to the British Government.

"2. That these accounts ought long ago to have been obtained, there can be no "doubt. It has been an omission from the first, but one which ought not, I apprehend, in "any degree to prejudice the right of the British Government to expect that His Highness "will now afford every possible assistance in a matter of the utmost consequence.

"3. It is, if a judgment may be formed from the experience gained in every other "quarter, much more than probable that the existence of these documents will be denied, "and that every possible endeavour will be made to avoid or evade their delivery. It is "probable, too, that they may be mostly in the hands of old Mamlutdars, of Hereditary "Officers, and of others; but it is not, I apprehend, at all likely that His Highness the "Guickowar can, if really so inclined, have the slightest difficulty in effecting their prompt "recovery. Bearing in mind, however, the probable difficulty, and at the same time the "importance attending their acquisition, you may, perhaps, consider it desirable that the

* Described in the printed Selections No. XXX. pages 81 to 124.

† Chapters IX. and X.

‡ Providing for the adjudication of claims to money allowances.

§ No. 754, dated 13th August 1856.

" matter should come before you in the shape of a distinct expectation of the Government " of India, in which case I had better communicate your wishes to the Bombay Govern- " ment."

77. The Resident's reply* is below transcribed. It confirms the impression entertained by me from the first, that to render success at all probable, the matter will require to be pressed upon the Guickowar's Government very strongly indeed.

" I have the honor to acknowledge the receipt of your letter, No. 754, dated the 30th " August, and in reply beg to inform you that it was at once referred to the Guickowar Go- " vernment, but from an oral communication I have now had with the head Karbaree, I " believe it will be impossible for the Durbar to furnish all documents required by you.

" With reference to the concluding portion of the 3rd para. of your letter, I beg to " observe that there is no occasion for any application to the Government of India, as I " am always happy to give assistance to the officers of Government in the performance of " their duties, if the information they require can possibly be obtained."

78. In the districts lately ceded by the Nizam, there ought to be little difficulty in obtaining the accounts of past revenue management, which, in many cases, should be collated with the Poona archives containing the revenue history of portions of these districts, especially those assigned in Suringam for periods, during which they were more or less under the Peishwa's rule. To admit of an enquiry into the Concan and Guzerat alienations, it is certain that something effectual must at once be done, for *not a single document* by which most of the alienations can be tested is at present forthcoming for several of the Deccan and Southern Mahratta Districts, and for the greater portion of the two Concan Collectorates, while in Guzerat not only are the accounts of the former Government at present withheld from one end of the Province to the other, but those for the first years of British rule in many cases of periods of fifteen and twenty years have been removed.†

79. Convincing proof has already been afforded of the correctness of the opinion‡ regarding the concealment of these records in Guzerat, expressed by Government when receiving my letter reporting the discoveries made throughout the Deccan. My Assistant, Mr. Arbuthnot, had scarcely commenced his proceedings at Ahmedabad, when one of his Native suborbinates produced a complete set of accounts of a neighbouring Purgunnah managed by his family under the former Government, and about the same time. Mr. Arbuthnot discovered a cart load of public records in the possession of one of the Peishwa's Hereditary Officers, (the Moozoomdar) with whose family similar accounts relating to the Deccan had been discovered at Poona four years previously.

80. In Surat, the amount of public revenue which, owing to the concealment of the old records, is fraudulently alienated in the single item of Girass allowances,§ must be very large. During the enquiry regarding the frauds lately detected, there have been discovered many of the original receipts of the Girassias for the years immediately preceding the introduction of British rule, and these documents, so long fraudulently withheld and concealed, clearly prove the British officer on whom the early settlement of the country devolved, to have been imposed upon by false statements and fabricated documents, and thus to have sanctioned the continuance of allowances double and treble those previously enjoyed.

81 The state of the public records throughout Guzerat is very discreditable. There seem to be few instances in which real attention has been paid to their preservation, much

* No 885, dated the 2nd September 1856.

† My Assistants in bringing this to notice have dwelt strongly on the disgraceful conduct of the Hereditary Officers.

‡ No. XXIX. of the Selections, page 49.

§ Amounting in this Collectorate alone to nearly one lac and a half of Rupees annually.

less to their arrangement. Some have been found in heaps; others tied up indiscriminately in large bundles; others again have been found stuffed in old boxes; many of the most valuable, however, are, unfortunately, not to be found at all, though some few have lately come into the hands of my Assistants, undoubtedly owing to the simple fact of nobody knowing where they were; as I have already represented* to Government "the actual condition of these records is so exceedingly unsatisfactory in most of the quarters "named, that rectification will be a lengthy, laborious, and expensive task, and it is therefore well to place the fact clearly before Government, for in this, as in many other matters, the officers of the Alienation Department must, before any adjudication of titles or "any portion, in fact, of what is generally supposed to be the only duty to be performed "can be commenced, be necessarily employed in endeavouring to rectify existing confusion and neglect, which render it impossible even to obtain a correct account of things "as they are, much more to determine the nature and extent of the remedial measures required."

82. In Ahmedabad, enquiry is at present being made regarding a large number of accounts of the former Government, which, though not to be found among the Collector's records, were, there seems every reason to believe, placed there by the Collector, Mr. Dunlop, shortly after the Guickowar ceded the district in A. D. 1817. Some half dozen of these documents, however, have turned up from information afforded by a havildar of peons, apparently the only person cognizant of the existence of papers demanding, perhaps, more careful preservation than any others in the Collector's charge.

83. In Surat, where matters are even worse, I find the Collector to have long ago officially denounced† the "disgraceful" state of his own records, without doing, and without being obliged to do, any thing whatever to rectify that which, as explained in para. 81, has now to be effected, at much labor and expense by this department.

84. At page 91, of No. XXX. of the printed Selections, the following satement, made in 1847, by the Collector of Broach, Mr. Davis, will be found:—

"Of this fact there is, I would respectfully remark, no doubt whatever. The talookas "of Jumboosur and Ahmode, as well as the small Mahal of Dehej (not noticed in my letter "of the 9th August last,) have literally undergone no investigation whatever into the alienated possessions hitherto continued in those districts, if I except a great many 'notices' "issued under Section XL. Regulation XVII. of 1827, which have never, upon expiration, "undergone any form of enquiry. The large proportion of alienations, on the other hand, "borne against the uninvestigated talookas, would certainly appear to invite enquiry without further delay, and if the proportion of resumptions should approach those brought "about by the Survey Committee in the other districts, the end would seem to justify the "enquiry, even should the latter be accompanied by a present charge."

85. The extent to which the present enquiry is likely to be affected by past omissions and errors, may be fairly inferred from the following statement‡ made one year later than the one just quoted, by the same Collector to the Revenue Commissioner, describing the destruction of records of the very district (Jumboosur) for which they are most required, it being one of those in which no investigation whatever regarding the alienations has taken place since the introduction of British rule.

"I have the honor to acknowledge the receipt of your letter, No. 1710, of the 28th "August last, calling upon me to explain more fully the circumstance adverted to in para. "2nd of my letter, No. 278 of the 19th idem, relative to the destruction of certain records "at Jumboosur, in the time of the late Mr. E. Grant, an Assistant to the Collector.

* No. 360, dated the 26th June 1856, para. 3.

† To the Revenue Commissioner, Nos. 1136 and 1425, dated the 24th Oct. and the 15th Dec. 1853.

‡ No. 369, dated the 2nd December, 1848.

"2nd. In reply, I beg to inform you, that such appears simply to have been the fact. "A considerable quantity of old records including the 'Talebund'* of past years, were "burnt as useless in the Thana at Jumboosur, by order of Mr. Grant. My officiating "Dufterdar has a distinct recollection of having officially reported the circumstance when "Mamlutdar of that Talooka, but after much search among the records of that office, the "report cannot now be traced. I have, however, directed the Mamlutdar to continue his "search as he finds leisure, and should the report in question turn up, I shall do myself the "honor of forwarding a copy of it.

"3. The fact is well authenticated; and my Sheristedar and others perfectly recol- "lect that similar old papers were destroyed as useless under the same officer at the head "station at Broach."

86. Of the whole of the alienations, the enormous emoluments of the Hereditary District Officers form, I believe, the most objectionable item; ample proof of their habitual misconduct has already been submitted to Government in my general report† on the concealment of public records, since the preparation of which, however, a case has occurred illustrating so fully the evil to which I desire to draw attention, that I cannot do better than transcribe my letter‡ setting forth the circumstances.

"I have the honor to submit for the consideration and orders of Government, a letter "dated the 4th September last, from my Sub Assistant, Mr. Gopalrow Hurree, bringing to "light circumstances which apparently prove the Hereditary District Officers of the Nas- "suck Purgunnah to have obtained at the introduction of the British Government more than "double the amount to which they were entitled, and which they had received under "the Peishwa's rule, on account of their Huk roosooms—to have continued to receive "this excessive amount up to the present date—to have thus fraudulently obtained from "the Public Treasury about one lac and a half of Rupees (1,50,000) and to have effected "all this by withholding and concealing the public accounts of the Revenue management "of the late Government, the safe custody and production of which is, and always has "been, the principal duty of the office, the privileges and extensive emoluments of which "they have been permitted to enjoy.

"2. The accompaniments to my Sub Assistant's letter are voluminous, and do not "appear to me to contain matter which it is necessary at present to place before Govern- "ment. I have, therefore, not forwarded them.

"3. The method of calculation described in para. 19 of Mr. Gopalrow Hurree's re- "port is in some respects unduly favorable to the Hereditary Officers. This however, can "be adjusted hereafter, during the complete enquiry which Government will, I presume, "order.

"4. In paras. 20 and 21 my Sub Assistant has explained his reasons for believing the "Hereditary Officers to be drawing at least double the amount to which they are entitled.

"5. The Revenue Commissioner of the Southern Division, Mr. Reeves, who was for "many years Sub Collector of Nassuck, has perused my Sub Assistant's report, and has "informed me, that his own past experience leads him to believe Mr. Gopalrow Hurree's "description to be a perfectly correct one. These frauds have, Mr. Reeves tells me, "been all along suspected, and more than once represented from various quarters, but "have, like innumerable other abuses of a similar nature, hitherto escaped detection and

* These Talebunds being the accounts of revenue management, showing the receipts and disbursements of each District, the only record, indeed, of actual enjoyment

† No. XXIX. of the printed Selections, pages 23 to 48.

‡ No. 1085, dated the 22nd October 1855

" punishment, owing to the impossibility of the Collector finding time for tedious and dif-
" ficult enquiries, for the complete and successful prosecution of which an Alienation De-
" partment has been so long and so urgently required.

6. My Sub Assistant has brought to my notice facts which led me to believe that
" still greater abuses of this nature are to be found in many other districts of the Nuggur
" Collectorate and elsewhere. The necessary enquiries are now being made, and their re-
" sult shall be duly reported to Government.

" 7. I have no reason whatever to believe the present to be an isolated case. On
" the contrary, from much which has come before me during the last two years, I am con-
" vinced that in many districts, and especially in Guzerat, the public funds have been
" plundered to a much greater extent. I do not conceive it at all unreasonable to suppose
" the sum of Rupees (4,000) four thousand per annum, which the Nassuck Hereditary
" Officers have to all appearances improperly possessed themselves of, to be a very fair
" average for the whole Presidency, and supposing it to be so, it needs little calculation to
" establish the fact, that an enormous loss amounting to *many millions*, must have been sus-
" tained under this one head.

" 8. The facts now reported illustrate in a remarkable manner the state of things
" which I endeavoured to describe and to suggest a remedy for in my letter in the Politi-
" cal Department, No. 876, dated the 7th August last, and it is only within the last few
" days that I had occasion to solicit the assistance of the Collector of Khandeish in a some-
" what similar matter, in which the Hereditary Officers appeared to have been guilty of
" transparent falsehood and fraud, in having distinctly declared a village to have been un-
" interruptedly held, which was immediately afterwards proved by the Peishwa's records to
" have been under resumption for nearly 30 years. The following is a transcript of the
" portion* of my letter to the Collector, having reference to this subject.

" 3. I hope that you will see fit to notice the false and fraudulent statement of the
" Hereditary Officers described in para 3, of your letter, No. 2212, of the 5th October, 1853.
" ' This village has been clearly proven† to have been resumed by the Government in
" ' A. D. 1795-6, and on this being discovered by a reference to the Peishwa's records, the
" ' Hereditary Officers appear, as I understand their statement,‡ to have coolly admitted
" ' the fact.'

" ' 4. Scarcely a week passes without the discovery of some fraud or other commit-
" ' ted by the Hereditary Officers, who for the last (37) thirty-seven years have to the best
" ' of their ability, no trifling power, as I need scarcely observe plundered, or aided and
" ' abetted the plunder of that public revenue, for the express purpose of protecting which
" ' they are, and have during the whole of the period, been highly and very frequently la-
" ' vishly remunerated. Of the many and serious difficulties in the way of an effectual enqui-
" ' ry into the enormous alienations of the public revenue, with which this Presidency is
" ' burdened, there is no obstacle so great as the Hereditary Officers, who have hitherto re-
" ' velled in impunity; the evil has become a chronic one, it even now paralyses the
" ' working of this department in many respects, and any attempt to remove it, must I
" ' feel assured, be worse than useless, unless carried out in the most systematic and vigor-
" ' ous manner, and supported by the whole weight of each Collector's authority and local
" ' influence.'

" * Paras. 3 and 4 of Captain Cowper's letter, No. 1056, dated the 3rd October, 1855.

" † Paras. 4 of Captain Gordon's letter, No. 179 of the 15th November 1853, which accompanied the Inam Commissioner's, No. 2730, of the 17th idem.

" ‡ Translate of which accompanied the Khandeish Collector's letter, No. 609, dated the 8th April, 1854."

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Inam Commission, Bombay.

"9. I would also beg Government to refer to my Report, No. 1078, of the 18th instant in the Political Department, describing a case in which valuable public records were concealed by being buried in the earth, their preservation however, having been ensured by thickly covering them with the leaves of the 'Pulus' tree. I transcribe below the remarks I then made, as they are exceedingly applicable to the present case

"'3. Paras. 2 and 3 of my Sub Assistant's Report described one, and a very bad one, of the innumerable cases in which the *only* records which can protect the public revenue are fraudulently kept from the hands of the Officers of Government, by every method which ingenuity can devise and which perjury can conceal; the traffic in these documents which for years has been, and still is going on throughout the country, is demoralizing to an extent which is not I believe, correctly appreciated. It is thus that the Hereditary Officers have acquired and exercise a most hurtful power which even, under the native rule, they could never obtain, for under that rule, the non-production of any public account when required would have entailed the instant attachment of the whole Wuttun. But more objectionable than any thing else, is the fact of this universal fraud and concealment being a matter of perfect notoriety to the community at large; scarcely a week passes without my receiving overtures from some person or other offering to point out concealed public records, on terms which are unfortunately too often of a nature to preclude my acceptance of them.

"10. Under all the circumstances, the suggestion contained in my Sub Assistant's 22nd para, that the one-half of the annual sum now received by the Nassuck Hereditary Officers, and which there is every reason for believing them to be receiving improperly, and as the result of their own fraud should be withheld pending further enquiry, should, I think be acted on.

"11. The enquiries which have led to this disclosure have been conducted with much intelligence and judgment by Mr. Gopalrow Howree, who has, since his appointment to this department, evinced a marked fitness for the responsible duties with which he has been entrusted."

87. Government on this Report passed the following Resolution:—

"His Lordship in Council has received a very favourable impression of the intelligence and zeal of Gopalrow Hurree Deshmook, Sub Assistant Inam Commissioner, Northern Division, from the report now submitted.

"2. There is, in the opinion of Government, sufficient ground shown for adopting immediate measures for the protection of the revenues of the State from further injury, from the overpayment of the District Officers of the Nassuck Sub Collectorate.

"3. His Lordship in Council, therefore, directs that in accordance with the suggestion of the Sub Assistant Inam Commissioner, one-half of the Roosoom allowances to the Deshpandehs and Deshmooks be sequestrated, pending the completion of the enquiry which the Inam Commissioner should be requested to expedite. If possible, the investigation should be completed by Gopalrow Hurree Deshmook, who has evinced in his proceedings and report a thorough knowledge of the subject, which peculiarly qualifies him for the task.

"4. There would appear to be reason to believe that similar frauds have been successfully carried out in other districts. It will be impossible to provide immediately for an efficient enquiry, but the several Collectors should be requested to turn their attention to the subject, and to use every endeavour to secure the accounts of the former Government, by which alone such frauds as have been practised by the Hereditary District Officers of Nassuck, can be exposed and remedied."

* No 4956, dated the 26th November 1855.

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Inam Commission, Bombay.

88. Act XI. of 1843, which was intended to provide for the efficient control of these Hereditary Officers has been practically inoperative, at least, I conclude that such may be most correctly asserted of this, or any other law under which for years and years malpractices such as those already described* have prevailed, while the records of the Criminal Courts will scarcely, it is believed, show a single conviction during the above period.

89. Having referred to each Collector, I find that in no single instance in any record of the emoluments of the District Hereditary Offices kept in the manner prescribed by law.† In some Collectorates no attempt seems to have been made to frame any statement whatever of these emoluments which, I am told, can be ascertained by referring to the accounts of a thousand villages.

90. Just as much irregularity exists in the manner in which service is exacted from the Hereditary District Officers, many of whom, in the receipt of small emoluments, are required to give up a very large, sometimes the greater portion of them, for the payment of the writers furnished to assist the Mamlutdars, while others whose emoluments are twenty times greater, pay much less on this account, and many of the largest recipients pay nothing at all. The whole of these payments appear to have been most arbitrarily fixed; some are said to have been ordered by the Collector, some by the Revenue Commissioner, and for some no order is forthcoming. Neither have I been able to discover any principle on which the deductions have been fixed. No general statements moreover appear to be in existence, so that any thing like comparison between the different Collectorates has hitherto been impossible.

91. Revenue to a considerable amount has, as shown in para. 16, been already recovered in the Southern Mahratta Country by merely reducing to its legitimate extent land found properly continuable in Inam, or in other words, by assessing the portion, unauthorizedly or surreptitiously added by the Inamdars to that really granted to them. The experience in this matter already gained in the Dharwar and Belgaum Collectorates, indicates the extent to which revenue ought to be recovered elsewhere, *provided* the accounts of the former Government from which the calculations have to be made are forthcoming. But of this there is no probability whatever under the existing circumstances, as the Hereditary District Officers, the paid custodian of these documents, are thoroughly aware of their value to the State, and have up to the present time evaded their production, or have produced palpable fabrications upon which no reliance can be placed. The settlement described in para. 16 has been chiefly effected by means of statements found among the Peishwa's state records, where, however, not many of these valuable documents are to be found, as they were always kept with the Hereditary Officers, who did not usually furnish copies or duplicates to the Government.

92. Owing to just the same cause, the concealment of the old records, the public revenue has generally been defrauded in fixing the value of shares of villages in effecting exchanges, and in all similar transactions in which the accounts of former management have been essential to a correct valuation.

93. I believe that Government have now before them sufficient evidence of the existence of an abuse which may, without exaggeration, be termed a monstrous one. I do not think that any country in the world can be found to have kept up for so long a period at so great an expense, so large a body of men employed so systematically in defrauding their employers.

94. It now remains to be considered how the alienation enquiry can best be brought to a completion throughout the Presidency.

* In No. XXIX. of the Selections, pages 23 to 48 and in para. 86 of this letter.

† Section XIX. of Regulation XVI. of A. D. 1827.

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Inam Commission, Bombay.

95. In the six Collectorates* to which the provisions of Act XI. of 1852 apply, no present change seems to me to be desirable. The financial results of the enquiry are as already explained† decidedly satisfactory, and the progress made has been as much as could reasonably have been expected, and will be much accelerated now that in most of the Collectorates the necessary preliminary operations have been completed.

96. As it has been decided, that the alienation settlement of Sattara cannot be equitably effected on principles dissimilar to those applied throughout the rest of the territory, conquered from the Peishwa, it will be necessary to reduce the expensive establishment, sanctioned when a summary settlement was in contemplation. A special Commissioner on my present salary is not required for Sattara, where until the preliminary operations as yet barely commenced approach completion, the regular enquiry can make no great progress, but even were it otherwise, a Court of Appeal such as that of the special Commissioner must necessarily be, could never be required for the Sattara district alone. The tedious and laborious portion of the enquiry must devolve upon the Assistant Inam Commissioner, who passes the original decisions. One such Assistant with the present establishment, is all that seems to me to be required, or that indeed can be made use of at present in Sattara. The appeal from his decisions should lie, I think, to the Inam Commissioner, Northern Division.

97. The Inam Commission at present costs a little more than ten thousand Rupees per mensem, a similar expenditure should, I think, be authorized for the extension of the enquiry to the six Guzerat and Concan Collectorates. This sanction, indeed, appears to have been already accorded‡ by the Government of India, to whom it will in such case be necessary, merely to submit the detailed arrangements which may be determined on. To do this, however, at once is I believe impossible. Their introduction must be gradual and experimental. The difficulties to be overcome in Guzerat and the Concan are very much greater than any hitherto experienced in the other Collectorates. The attempt to effect a settlement of these alienations under the existing law has turned out a complete failure. The law itself is unquestionably most defective, but the objections to any material alteration in it are so weighty that it would, I think, be well in the first instance, to try the effect of the measure proposed in para. 74 of this letter, and to see what can be done by providing a separate and efficient agency for the prosecution of the enquiry at present placed in the hands of an officer (the Collector) always without the time to attend to it, and sometimes without the previous training required to conduct it.

98. The difficulties in the way of a complete alienation settlement are great. They may, indeed, I believe be, without exaggeration, described as difficulties of no ordinary nature. The Native officials,§ almost to a man, have a direct personal interest in thwarting and preventing a settlement which once carried out must for ever shut the door to a multitude of abuses. The fertile source of illicit gain, the hostility of the Hereditary Officers is a matter of course. They have all along not only plundered the community and the State with impunity, but have been liberally paid while doing so, and they have been thus allowed to obtain a mischievous influence which cannot now be extinguished without difficulty. They are moreover generally in league with the Native stipendiary servants, and between these two classes is shared a power, which may at any time paralyse the best exertions of the higher officials, and the best intentions of the Government.

* Poona, Nuggur, Sholapoor, Belgaum, Dharwar and Khandeish.

† Paras. 14 and 15.

‡ Mr. Secretary Halliday's letter, No. 606, dated the 11th October 1850, para. 3 see page 134 of No. XXX. of the printed Selections.

§ A very gross and the most recent case is that in which an attempt was made to corrupt one of the Sub Assistant Inam Commissioners through the agency of a Native official (of *thirty* years standing in the office of the Political Agent Southern Mahratta Country) since convicted of the offence and sentenced to fine and imprisonment with hard labor.

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99. Another class, whose detestation of an alienation enquiry is only equalled by their unceasing attempts to thwart it, consists of those agents, vakeels, managers and intriguers of various descriptions, who undoubtedly, form the most thoroughly worthless portions of the community, well acquainted as they generally are with every thing which under the British system, can avail to make the worse appear the better cause, or failing that, to elude and evade enquiry with a permanent settlement their occupation ceases. Besides which, a very large proportion of the public revenue, improperly and fraudulently alienated, has found its way into the hands of these men—a fact of which any legislation on the subject ought not to lose sight.

100. The Alienation Department is, from the causes described in para. 98, necessarily often brought into collision with the very agency on which it must, in many respects, depend for assistance, and the same thing is very likely to occur when, as frequently happens, its enquiries bring to light neglect and error on the part of the local officers Government, long ago, foresaw that this would be the case, and in cancelling an order passed on information, the utter erroneousness of which had escaped the Revenue Commissioner and several subordinate officers, drew* the attention of the Government of India "to the "efficient working of the Alienation Department (Inam Commission) now in process of "organization, and the beneficial effect which its severe scrutiny must eventually exercise "on most of the departments, in rectifying errors and abuses such as have been discovered "in the present case."

101. But Government, when thus expressing themselves, had, I apprehend, little idea of the existence of the abuses which have since been exposed. It is very evident to me that, for a long time to come, there will be a continuance of these exposures, which are so unpalatable to the other departments concerned, that they can only, I believe, be satisfactorily and thoroughly dealt with by Government directly.

102. Moreover, until every thing connected with alienations shall be carried on in one department of the Secretariat, I see no probability of avoiding the inconsistency and difference of procedure, which, quite as much as any thing else, have tended to the existing complications, even the Native rulers found a separate Alienation Department required; without their knowledge and experience, and with manifold and great difficulties in the way of obtaining correct information, it can be matter of little surprise that the succeeding Government should at last recognize the value of an agency which ceased to exist just when its services were most required—a mistake which cannot be too soon or too thoroughly rectified.

103. The case of the village of Pimpley Sowdagur in the Poona Collectorate, on which I lately reported,† strongly illustrates this necessity. Had there been but one alienation branch, it would not have been possible for Government to resume Political, a village which they found themselves obliged immediately afterwards to restore in the Revenue department. Neither would the senior members of the family have been subjected to the great hardship which the first order of the Government, dispossessing them of the village, inflicted.

104. So with regard to the non-assessment of the large Jallihal estate for several years after orders had been issued, and the consequent clear loss of public revenue amounting to upwards of sixty-five thousand Rupees, a loss‡ which would have been considerably greater, but for the accidental circumstance of a previous attachment.

* Para. 37 of the Resolution, No. 5281, passed in the Revenue department, on the 9th September 1853.
† No. 416, dated the 1st July 1856.
‡ Captain Cowper's Report, No. 723, dated August 1856.

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105. To much the same cause must, I apprehend, be traced the absence of any thing like a complete system of audit. Had all alienation business been conducted in one department, measures would probably have been long ago taken for extending to the enormous payments at present only shown in the Jummabundy accounts, to the Girass allowances amounting to some lacs of Rupees, to the Kothlee Sauth payments, and to many others especially requiring it, that minute and careful audit which has all along annually checked and controlled even paltry payments made to institutions, which, being permanent in their nature, can scarcely require periodical audit at all.

106. The share of the Deshmookhee Wuttun in Khandeish, restored* to His Highness Holkar through an error which has cost the State between thirty and forty thousand Rupees, is another case in point, and one which could hardly have occurred had alienation matters been recorded and supervised in one distinct department.

107. Even the accounts which profess to show the amount of revenue alienated are practically, in many respects, worthless. The detail of the annual Jummabundy returns is very great, and their minuteness, could it be entirely depended on, would leave little to be desired. But much of this is fallacious as regards alienations, the value assigned to them being merely nominal and fortuitous. It is in some cases taken from accounts which never have purported to show anything but a nominal value; in others, it is a value which may have been a real one a century ago, but which, during British rule, has certainly never existed save on paper; while in Khandeish a very large sum† shown in the accounts as so much Revenue alienated in reality represents‡ merely an uninhabited and uninhabitable jungle being the value assigned sixty or seventy years ago to districts long before, and ever since the introduction of British rule abandoned to the wild beasts.

108. Very much more might, doubtless, be said in support of what I have above urged, and I dare say that further enquiry would elicit instances even stronger than those which have already come to my notice. I abstain, however, from any endeavour to adduce additional proof of a necessity already, I apprehend, sufficiently obvious, further than to submit an opinion that any arrangement made should include access at all times to the records of Government, constant reference to which is absolutely necessary, and that the careful study of the proceedings of the last half century should precede any attempt to effect a final settlement, especially in many portions of Guzerat, of questions upon which the old records contain much important information not now obtainable from any other source.

109. Such are the facts (paras. 98 to 108) which, to my apprehension, indicate the one measure essential to the successful completion of any general enquiry, whatever may be the agency employed, and whatever may be the expense incurred. I am satisfied that the most efficient subordinate Agents will be able to effect little, and that the largest expenditure will be comparatively thrown away, unless the whole direction and control of the enquiry shall emanate from one authority, not only fully competent to appreciate, explain, and remove its manifold technical difficulties, but above all, sufficiently powerful to command on all sides that implicit obedience; and to obtain from every public officer that cordial and active co-operation, without which an alienation settlement had better not be attempted.

110. Such power as the above I believe to be with Government alone. I have now acquired considerable knowledge of the state of things in each Collectorate; I have been

* Recommended for resumption to the Government of India under date the 14th May 1856.

† NOTE.—Since submitting this Report, Captain Cowper has intimated that the Collector of Khandeish estimates the sum referred to at less than Rupees 2,24,164-7-7.

H. YOUNG,
Offg. Chief Secy.

‡ Khandeish Collector's letter, No. 1402, dated the 18th July 1856.

more or less in communication with all the heads of departments and offices; I have for several years devoted the whole of my time and attention to this particular work, and I have received from Government the utmost encouragement and support. Thus possessed of advantages seldom likely to be exceeded, I yet find my position beset with difficulties, which, already sufficiently serious, may at any time, perhaps at no very remote period, render the satisfactory execution of the task with which I am at present charged impossible.

111. Whatever may be done regarding the alienations of land revenue in Guzerat and the Concan must, to have a chance of success, be commenced quickly, as in A. D. 1863, sixty years enjoyment, which, according to the existing law, confers a sufficient prescriptive title, will have precluded enquiry in any case.

112. The great and increasing reduction in the land assessment every where in progress, and the exceeding difficulty of imposing any new tax, appear to render imperative the efficient prosecution throughout the Presidency of an enquiry regarding alienations, to the enormous amount of which the Government of India have from the first, consistently objected; on the 17th June 1820, they impressed this upon the Bombay Government with regard to the Territory conquered from the Peishwa, and while confirming arrangements, because Mr. Elphinstone deemed them at that time indispensable, they did so only as involving a present, and not a permanent sacrifice of revenue, and with the expression of a marked hope that advantage would "be taken of every proper opportunity to reduce the "expenses incurred."

113. Whether in the Concan and in Guzerat the recovery of any considerable portion of the alienated revenue which ought long ago to have reverted to the public treasury is now practicable, may fairly be doubted, enquiry alone can determine this. But let the result of enquiry be what it may, it cannot at all affect the necessity of that final settlement required to put an end to a system inseparable from abuses of which my description cannot, I am aware, convey any adequate idea. The amount of fraud, intrigue, corruption and oppression, originating solely in the unsettled state of these alienations, I believe to be far greater than can be supposed by any person not practically conversant, from long personal experience, with the actual state of the country, and to constitute a public evil in comparison with which the individual loss and hardship resulting, even supposing such a result probable, which is by no means the case from the most effectual and rigid alienation scrutiny, become matters of little moment.

I have the honor to be, &c.

(Signed) T. A. Cowper, Captain,

Offg. Special Commissioner.

Accompaniment to the Officiating Special Commissioner Captain Cowper's letter, No. 953, of the 19th September 1856, referred to in para. 70 thereof.

AN ACT TO PROVIDE FOR THE ADJUDICATION OF CLAIMS TO ALLOWANCES OF MONEY AND GRAIN, HELD UNDER THE PRESIDENCY OF BOMBAY.

Whereas the rules which are in operation relating to allowances of money or grain from the Bombay Government have not the force of law in the Civil Courts of the Presidency, and whereas in order to produce uniformity of decision, it is desirable that the adjudication of claims to such allowances should be withdrawn from the cognizance of the Civil Courts, and be referred to the determination of the Inam Commissioners and their Assistants, subject to appeal to Government.

It is therefore enacted as follows.

I. The Inam Commissioners and their Assistants, appointed under Act XI. of 1852, shall have full jurisdiction and authority to enquire into, and adjudicate upon, all claims to

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allowances of money or grain, under whatever denomination held under the Bombay Presidency, and shall for the purposes of such enquiries proceed in the same manner and have and exercise the same powers and authorities as are prescribed and vested in them by Act XI. of 1852, and schedule A. to that Act for the adjudication of the titles therein referred to, so far as the same are applicable, and all complaints against, or appeals from the proceedings of the Inam Commissioners or any of their Assistants in exercise of the authority conferred on them respectively by this Act, shall be made under the second rule of Schedule A. annexed to Act XI. of 1852, and shall not be cognizable by any other authority or in any other manner than as therein specified.

II. Bribery, extortion, and generally all acts of abuse of authority or other misconduct committed by any officer belonging to the establishment of the Inam Commissioner, or temporarily employed therein under the provision of this Act, shall be punishable as provided in Act XI. of 1852.

III. In the adjudication of claims to such allowances, the title of claimants shall be determined by the rules in the Schedule annexed to this Act, and where no rule exists under the general instructions of Government.

IV From and after the passing of this Act, the ordinary Civil Courts of the Presidency shall have no jurisdiction to entertain suits to establish claims against Government or any of the officers of Government to any such allowances as aforesaid.

V. All original suits pending against Government or any of its officers at the time of the passing of this Act to establish a claim to or to enforce the payment of any allowance whatever, or to register the claimant as the owner of the same, shall be transferred under the orders of Government for adjudication to the Assistants of the Inam Commissioners, and all appeals against original decisions in suits, not being appeals to the Sudder Adawlut, pending at the date of this Act, shall be transferred under the like orders to the Inam Commissioners, and all appeals pending before the Sudder Adawlut, whether general or special, shall be transferred to Government.

VI. No decision or order of any Inam Commissioner or Assistant Inam Commissioner, or of the Governor in Council under the provisions of this enactment shall be questioned or avoided in any Court of law.

VII. Every person who, under the provisions of Act XI. of 1852 or under this Act, shall knowingly and wilfully deliver or cause to be delivered to any Inam Commissioner or Assistant Inam Commissioner a pedigree false in a material particular with the intent to deceive such Inam Commissioner in relation to the title of any individual to hold land wholly or partially rent-free or to enjoy any allowance of money or grain, shall be liable to the punishment of forgery under Regulation XIV. of 1827.

Accompaniment to the Officiating Special Commissioner Captain Cooper's letter, No. 953, of the 19th September 1856, referred to in para. 75 thereof.

AN ACT TO PROVIDE FOR THE RECOVERY AND PROTECTION OF PUBLIC ACCOUNTS AND DOCUMENTS RELATING TO THE PUBLIC REVENUE, WITHIN THE BOMBAY PRESIDENCY.

Whereas great numbers of the public accounts and records kept during the time of the Native Governments, relating to the management of the public revenue, have remained up to the present time in the hands of the Hereditary Officers and others, and the retention thereof has occasioned great loss to the State, and to persons having just claims thereon, and has very much encouraged litigation, and the commission of forgery and perjury, and has led to great extortion being practised on private individuals; and whereas all such accounts and

documents ought to be delivered up to Government, and it is expedient to make some further provision for the protection of the public records relating to the public revenue. It is hereby enacted as follows:—

I. All accounts and documents in any way relating to the management of the public revenue, under the present or any former Government, now in the possession or control of any hereditary officer or other person not duly authorized by the present Government to retain possession of the same, shall be delivered up to the officers of Government as hereinafter mentioned.

II. The Governor in Council shall, by proclamation in each district according to the form usually observed in public notifications, name the officers of Government to whom the documents mentioned in the preceding section are to be delivered up; and all persons having any such accounts or documents in their possession or custody, and bound under this Act to deliver up the same, shall deliver up the same to some officers named in such proclamation, within three calendar months, from the day on which the same shall be issued.

III. Any person who, from and after the expiration of the three calendar months aforesaid, shall knowingly and wilfully retain or conceal, or assist in retaining or concealing any such account or document as aforesaid, shall be liable, on conviction before a Magistrate or other public officer authorized by the Bombay Government, to investigate offences under this Act, to a fine not exceeding Rupees 500, or to imprisonment with or without hard labor not exceeding twelve calendar months, or to both those punishments.

IV. Any person not duly authorized as aforesaid, who shall be found in the possession of any such account or document at the end of three calendar months from the day on which the proclamation shall be first issued, shall be held to have been guilty of knowingly and wilfully retaining or concealing the same, unless he can otherwise account for his possession of the said account or document to the satisfaction of the trying authority.

V. It shall be lawful for any Magistrate or other officer authorized by Government to investigate offences under this Act, on receiving credible information that any such account or document as aforesaid is in any house or other place, to issue an order for the entry and search of such house or other place, and to take possession of such acco unt or document; provided always that dwelling houses shall not be so entered and searched between sunset and the ensuing sunrise without urgent occasion.

VI. It shall be lawful for the Government to direct the confiscation of the whole or any portion of the Wuttun or emoluments of any hereditary district or village officer, on any sharer in such Wuttun or emoluments being convicted before any Magistrate or other officer duly authorized by Government to investigate offences under this Act, of having concealed or denied the existence of any such account or document as aforesaid, afterwards found in his possession, or found concealed with his knowledge, or under circumstances of which he was in his official capacity bound to have cognizance, provided always that the share of any co-sharer, on whose information given to any officer of Government, the recovery of any such account and document may have been effected, shall not be so confiscated.

VII. From and after the issuing of the proclamation mentioned in Section II. of this Act, no account or document as aforesaid shall be received as evidence in favor or in support of any claim upon the public revenue, in any Court of Law, or before any tribunal or authority competent to adjudicate such claim, unless produced by, or from the custody of some officer of the existing Government duly authorized to have the custody thereof.

VIII. Government may order the payment to any person giving information leading to the recovery of any such account or document as aforesaid, of a sum not exceeding half of the amount of the public revenue for one year recovered exclusively by means of, or on the evidence afforded by the account or document recovered as aforesaid.

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IX. It shall be lawful for Government, from time to time, by proclamation in the *Government Gazette*, to name the officers who are authorized to investigate offences under this Act.

X. Every person who shall destroy, or fraudulently remove from its proper place of custody, or misplace any account or document relating to the public revenue, or the management thereof, with the intent that such account or document may not be produced in some judicial or other public investigation, or to mislead the officer conducting such investigation, with respect to its existence or the custody in which it has been kept, or in any other manner, shall be liable, on conviction thereof before a Magistrate, to a fine not exceeding Rupees 500, or imprisonment for a period not exceeding twelve calendar months with or without hard labor, or to both those punishments.

XI. Every person in the employ of Government or otherwise, who shall without due authority allow access to, or disclose the contents of, or furnish any copy, or extract of any account or document, on the public records, relating in any way, to the public revenues, shall on conviction thereof before a Magistrate, be subject to a fine not exceeding Rs. 100, or to imprisonment not exceeding three calendar months, or to both those punishments.

XII. In the construction of this Act, words importing the singular number shall include the plural and vice-versâ, and words denoting the masculine gender shall include the feminine.

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Minute by the Right Honorable the Governor, dated the 20th December 1856.

I regret that I should have been obliged to detain this able and interesting Report so long. It reached me when we were in the midst of the preparations for the Persian Expedition, and the subject is one that requires careful consideration and attention. This I endeavoured to bestow upon it, and since the departure of the Expedition, I have given it every moment which I have been able to spare from other and more pressing duties. I am far however from supposing that I have thoroughly mastered the difficult subject to which it relates, and it is not without some hesitation and diffidence that I proceed to record the following observations. I propose to follow Captain Cowper's Minute, paragraph by paragraph.

Paras. 1 and 8.

2. The first eight paragraphs show that the Report is made to enable us to reply to a call for information made by the Government of India in March 1855, regarding the extent, cost and result of the Inam enquiry, that the means of answering this call were not at the time forthcoming, and that since then four numbers of the *Selections* from our Records have been published, which contain nearly the whole of the correspondence touching the origin and progress of the enquiry. Much however of the most important and laborious portion of the work can neither be specifically valued nor *tabulated*.

3. The Government of India must not be referred, however, to voluminous printed papers, miscalled *Selections*—their attention may be directed to Mr. Hart's letter of the 1st of July 1848, paras. 2 to 18 of which give a succinct account of the origin and early progress of the Inam enquiry—it may also be drawn to the correspondence which preceded the passing of Act XI. of 1852, and to the Act itself and its Appendices.

Paras. 9 and 11.

4. The next three paragraphs relate to the progress made in adjudicating Inam claims in the six Collectorates to which the operations of the Commission extend. Claims to 245 entire villages out of 1,260, to 6 shares of villages or Unnels out of 2,520, and to 6,662 minor estates out of 1,04,413, have been disposed of. This does not appear much, but Captain Cowper has reason to believe that the disposal of claims will be more rapid in future, and that at least two-thirds of these minor Inams will be found to be claims for service holdings and to holdings, the title of which has

already been declared valid by competent authority, and we must not, in estimating the progress of the Inam Commission, overlook the fact which I have just quoted, that much that is laborious and important in its operations cannot be shown in a tabulated form.

5. Paragraph 12 has reference to the Returns which we called for on the 5th September 1855. In the Concan and Guzerat, it is almost impossible that the enquiry can embrace the whole of the alienations within the period which, under Regulation VI. of 1833, confers prescriptive right, and if it were possible, it is by no means certain that it would be politic to do so. In speaking of this enquiry, Mr. Fawcett, the Revenue Commissioner, Northern Division, in his Report for 1852, 1853 says :—If this enquiry is "conducted with "strictness, I should hesitate, from knowledge of the people and with the above facts be-"fore me (that other cultivators would not take up land resumed for fear of those who had "been dispossessed,) to warrant peaceable conduct in all cases," but open violence is scarcely more to be deprecated than the passive resistance which leaves the resumed lands uncultivated. We considered that even if there were no other reason for circumscribing the range of the enquiry in Guzerat, the risk of exciting general discontent was a sufficient one, and accordingly we endeavoured to discover some principle by the adoption of which the enquiry might be brought within safe and feasible limits. We did not overlook the expedient suggested by Captain Wingate, which would have avoided the necessity of all enquiry by imposing a tax not exceeding one-fourth of the assessment, to which the land would be liable, if it were Khalsa, upon all Inams, the payment of which tax was to cover all defects of title, and to place the present occupants beyond the reach of future question, but the objections to this plan appeared to us insuperable, and we considered that it would be far preferable to confirm the whole of the very small Inams, probably the most numerous class, and to reserve for enquiry those larger alienations which would best pay the cost of investigation.

6. To enable us to form some idea of what would be the effect of this measure, Captain Cowper was requested to make a return of the value of the smaller Inams which had not yet been enquired into in the six Collectorates, to which the Inam enquiry has hitherto been confined, which were to be classified according to their value from Rupees 2,000 and upwards to Rupees 25 per annum. From an abstract of the returns of 65,000 of these minor Inams, it appears that if we were prepared to confirm all Inams of less than Rupees 25 per annum, about four-fifths of these unadjusted claims might be got rid of at once. These smallest Inams, 51,204 in number, amount however in the aggregate to Rupees 4,89,750, being not quite one-third of the value of the whole 65,000. Captain Cowper does not recommend the measure, as the enquiry into the small holdings is less laborious and expensive, than that into the titles of large estates—there is moreover the greatest amount of fraud among these small holdings.

Para. 13.

7. As a matter of expediency, however, under which view alone I would now wish to consider it, I am not satisfied with the soundness of Captain Cowper's conclusion. The enquiry must be extended to Guzerat and the Concan; and it will be impossible, within six years, to investigate the whole of the claims to rent free holdings and other Inams. In those provinces the extent of these alienations is so great, and the titles are believed to be almost universally so defective, that if such a rapid enquiry were practicable, it would probably excite a feeling of general discontent. It seems to me that there are only two courses open to us, either to adopt Captain Wingate's plan and to assess the whole of the Inams indiscriminately at 25 per cent. of the Survey Assessment, or to transfer the jurisdiction in Inam cases now enjoyed by the Collector under Regulation XVII. of 1827, Chapter X. to the Alienation Commissioner—foregoing the enquiry into the lowest in value and most numerous class of Inams, and contenting ourselves with scrutinizing the titles of those which are higher in value and fewer in number.

8. There is indeed a third course, to throw the burden of proving their rights upon the Inamdars, and to enact that all claims total or partial exemption from assessment or to money allowances, the titles to which are not lodged with the Commissioner by a certain date, shall be null and void—existing holders (and perhaps their successors for one or two generations) being continued in the enjoyment of their Inams. This course might have been adopted when we first obtained territory in Guzerat, but the question was then little understood; and perhaps the fact that some of the most ancient tenures are precisely those which it would be the most difficult to establish a claim to, may have prevented the adoption of such a rule. To introduce now, when the period which confers prescriptive right is near at hand, a measure which would lead to the resumption of nearly the whole of the Inams and alienations in Guzerat, would be a kind of general confiscation, which this Government, I am sure, would not recommend, and which I do not believe the Government of India or the Honorable Court would sanction.

9. I do not however contend that because we are, as it were, compelled to confirm without enquiry a large portion of the alienations of public revenue in Guzerat, that therefore we are bound to do so in the Deccan. It may be said that, in justice, we are bound to apply the same rule to all, but the difference would be more apparent if we were now to abandon the investigation into these small Inams in the Deccan, where 6,662 cases of this description have been already adjudicated, than if we allow the enquiry into the remainder to proceed. There is little or no communication of ideas or community of feeling between Guzerat and the Deccan, and not much even between the latter province and the Concan, and there is consequently little danger of exciting jealousy or discontent by abandoning in the one province a right of enquiry, which we maintain in the other.

10. Paragraphs 14 to 17, relate to the financial result of the enquiry which, considering the rate of progress, may certainly be regarded as very satisfactory. The total expenditure from 1843 to April 1856, has been 7,96,000 Rupees, and the permanent annual revenue recovered 3,69,683; this is exclusive of petty encroachments which may be reckoned upon an average at 17 per cent. of the whole alienations.

Mr. Chapman's meritorious services in bringing to light the roguery, for it deserves to be called by no other name, of the Jagheerdars of the Southern Mahratta Country are recapitulated in paras. 18 to 83. Mr. Chapman's enquiry resulted in the recovery of upwards of two lacs of Rupees already overpaid, and in the prevention of 28,600 Rupees per annum, being permanently alienated as compensation to those dishonorable Chiefs.

11. Paragraphs 34 to 47 give a brief sketch of the alienations in Guzerat. These are estimated in the annual Jummabundy returns at 28,39,145 Rupees. The whole of these paragraphs show the necessity of some much more stringent measures for the protection of the Government revenue, and for the detection and punishment of flagrant abuses, than have hitherto been taken in Guzerat and the Concan; so long as the Collector is the only person who can try claims to hold land free of assessment, and that the Civil Courts adjudicate all questions connected with assessments of grain and money allowances, it is too much to expect that these abuses will be effectually checked.

12. The draft of an Act to take the latter out of the jurisdiction of the Civil Courts, and to transfer them to the Inam Commissioner is at the end of Captain Cowper's report, but as it is pointed in paras. 73 and 74, this Act will be incomplete, unless the Collector's jurisdiction in claims to hold land free of assessment is likewise transferred to the Commission. The necessity of relieving the Collector from this duty is corroborated by an extract from a letter from the Collector of Broach quoted in para 47. The introduction of a Registry of the families of the holders of hereditary stipends appears to be also a very necessary measure, but I imagine that a Legislative Enactment will also be required to carry it out.

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13. The necessity also of some Legislative Enactment to enable us to recover the public records relating to alienations of revenue, which have remained up to the present time in the hands of the Hereditary District Officers, or have passed into the possession of private families, is also shown in these paragraphs.

14. Paragraphs 48 to 51 relate to the Concan. It is certainly singular that the alienations in this province are not subject to the same law as those which are situated in the other territories conquered from the Peishwa. Captain Cowper states that much inconvenience has resulted from this difference; he points out the encroachments upon the rights of Government in the Forest department, but he does not touch upon the Khote tenure, which in the Southern Concan must, I imagine, be regarded as a kind of Inam.

15. I entirely agree with Captain Cowper that the commutation of payments in kind, which has been effected in the Rutnagaree Collectorate, should be extended to Tanna. The sooner this is done the better. The payments to village officers alluded to in para. 51 will of course be enquired into, unless they should be exempted from the enquiry under the compromise which I still think it will be found necessary to make in the Concan and Guzerat, under which, all Inams below a certain maximum value, say 25 Rupees per annum, will be confirmed to existing holders.

Paras. 52 to 59.

16. The state of the Surat Collectorate, as described in the 52nd and following paragraphs, calls for prompt and vigorous measures. I have no doubt that Mr. Inverarity will do every thing in his power to remedy the abuses which have so long prevailed there, unchecked as it would appear by the Revenue authorities. Government will support him in breaking up the family league of Native officials, and in every other well considered measure of reform which he may propose.

17. Paragraphs 57 to 59 should be communicated to the Sudder Adawlut. Although we are satisfied from Mr. Hebbert's explanations, that the destruction of the public records alluded to in para. 57 was not likely to have been the result of a conspiracy among the Native officers concerned in it, yet it seems very desirable that the *family league* should be broken up in the Adawlut as well as in the Revenue establishment.

Paras. 60 to 62.

18. These paragraphs should also be sent to the Sudder. It is not likely, I fear, that the Sudder will be able to supply the information required in para. 60 (as to *the manner* in which suits affecting the public interests have been prosecuted in the Civil Courts). With regard to Gungadass Chubildass, it has been decided that the Collectors are to employ Vakeels, when they require their services, and not to retain a standing counsel; but it seems doubtful whether a man who has been declared by the Judge (Mr. Remington) guilty of having knowingly aided and abetted a conspiracy, and in producing in evidence a fabricated document, should be permitted to retain his sunnud.

Para. 63.

19. As the abuses, mentioned in this paragraph, are in course of being corrected, no notice need be taken of them here.

Para. 64.

20. *Talookdaree villages.*—The state of the Talookdars and their holdings forms one of the greatest difficulties to a revenue settlement in Guzerat. I believe that these are among the most ancient tenures in the country. The Talookdars are however all but universally insolvent, and I apprehend that as a class, they are irretrievably gone. It seems to me however that something might be done to break their fall. Some summary process like that of an encumbered Estates Court might extricate them from their embarrassment, and some status might be assigned to them which would at once preserve them from utter penury, and enlist on the side of Government what influence they still possess in the villages, which are at least nominally theirs. Mr. Rogers who was lately Settlement Officer in Guzerat spoke to me on this subject.

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21. As an enquiry has been commenced into the condition of the Mulleek villages in the Kaira Collecterate by Mr. Arbuthnot, and will be more vigorously prosecuted when the preparation of the lists of alienations is completed, it is not necessary to go into the subject in this place.

Para 65.

22. It seems highly desirable that the enquiry into the claims to compensation on account of abolished duties and cesses should be brought to a close with the least possible delay. Captain Cowper says, that while in the Southern Division there remains little to be done, in the Northern Division there seems to be ample work for a well qualified officer. I propose to ask the sanction of the Supreme Government to the temporary appointment of an officer for this duty, on a salary not exceeding that of a Second Assistant Collector.

Para 66.

23. The enquiry into the numerous and complicated claims of the Thakoor of Bhownuggur can only be entrusted to an officer of considerable experience and high qualifications. The sanction of the Government of India, to the appointment of such an officer upon the salary of a First Assistant Collector may, I think, be requested.

Para. 67.

24. This para. shows the anomalous state of the Law in Guzerat and the Concan on the subject of cash allowances or Inams. Captain Cowper suggests that the force of Law should be given to the amended rules of 1842, which have received the sanction of the Government of India. This will be done, if the Draft Act at the end of his letter, and which has been already referred to in this Minute, is passed into Law.

Para. 68.

25. Refer to this Draft Act, which provides also for the attendance of witnesses before the Inam Commissioners, and for the punishment of persons forging pedigrees, with a view of obtaining possession of Inams or other alienations of public revenue.

Paras. 69, 70 and 71.

26. These paragraphs refer to the Regulations, under which all claims to exemption from assessment are adjudicated in Guzerat and the Concan ; this subject has been already touched upon ; the addition to the Draft Act, at the end of Captain Cowper's letter, suggested at the close of para. 74, will assimilate the Law with respect to these land alienations, to that which has been recommended in the case of money pensions. It will also put the Law with respect to all alienations in this Presidency on the same footing as in the rest of India.

Paras. 72, 73 and 74.

27. These paragraphs relate to the fraudulent concealment of public records, especially by the Hereditary Officers whose duty it is to preserve them. I observe in the Inam Commissioner's letter to the Revenue Commissioner Southern Division, dated 1st July 1848, that Mr. Hart required every Hereditary Officer in the Southern Mahratta Country to deliver up the whole of the records under his charge, and to furnish a declaration that he had kept back none, which, he says, " will at least prevent the danger of future fabrication of *ancient accounts* by the officers in question." He also required the village officers to describe the Dewasthan assignment in their respective villages, and he prepared lists showing the extent, value, &c. of each Inam in each village, but from the beginning of this enquiry the Hereditary Officers seem to have found means to evade the Inam Commissioner's requisitions. Some curious instances of the extent to which this concealment has been practised, will be found in Captain Cowper's letter of the 7th August 1855.

Paras 75 to 93

28. Under this Presidency no search can legally be ordered to be made for concealed public records, nor in the concealment of such records punishable by Law. In the Madras Presidency a Collector is empowered under Section IX. of Regulation IX. of 1822 to search

for public records upon information being laid on oath, and the concealment of public accounts is punishable in that Presidency by imprisonment for a period not less than one year, nor exceeding five years.

The want of some provision of this nature in this Presidency has long been felt, and with a view to meet this necessity the appended Draft Act already alluded to in para. 13 has been prepared, but Captain Cowper thinks it will hardly be effectual for this purpose, unless means are taken to recover such documents when removed into the Guickowar's and Nizam's territories, he seems to apprehend more difficulty in the case of the former Government than of the latter, and as the districts adjoining our territory are now mostly under British Officers, I think he is probably right. The Government of India will, I should hope, insist upon the surrender of all public records which may be discovered in those territories belonging to this Presidency, and upon effectual measures being taken for their recovery.

29. The Draft Act makes provision for the punishment of such Hereditary Officers as may hereafter be convicted of concealing or fraudulently removing public records, but one cannot read Captain Cowper's report without seeing that the state of these Hereditary Offices is a great anomaly, and I must add that their continuance is an enormous abuse; how far are we bound by treaty stipulations or promises, direct or implied, to continue to these Hereditary Officers their emoluments, is a question which undoubtedly must receive our most careful and dispassionate consideration, but this is certain, that we are paying two sets of Native officials, the actual and the titular, and that the latter are not content to enjoy the emoluments and perform the almost nominal duties of their offices, but who frequently, as a class I am afraid generally, make use of the opportunities afforded by these very offices to plunder and defraud the Government, and I certainly think that the time is arrived for the gradual reform of the glaring anomaly which they present.

30. We are told (I believe on the authority of Mr. Gopalrow Hurree, a Native Assistant in the Inam Commission) that "under the Native rule the non-production of "any public accounts when required would have entailed the instant attachment of the "whole Wuttun." I need not point out how much more the systematic concealment of public accounts on the part of nearly the whole of these Hereditary Officers would have drawn down upon them the forfeiture of their appointments. We have changed the whole system; we make hardly any use of these people, but we leave them their titles and Wuttuns, and just enough of power to enable them to defraud Government to an extent, probably greatly exceeding the value of their places.

31. In some districts we oblige them to pay a large proportion of their emoluments to the writers who assist the Mamlutdars. In others the deductions on this account are smaller, and some of the largest recipients pay nothing at all. We might begin by enquiring into and regulating their deductions.

32. The passing of the proposed Draft Act for the recovery and protection of the public records, the safe custody of which has been committed to the Hereditary Revenue Officers, and the regulation of the deductions to be made from their emoluments for the payment in part of those who, under our Government, actually perform these duties, will correct some of the most evident abuses of the present system, but the anomaly of paying men for duties which they are no longer called upon to perform, will not be diminished by the passing of the Act.

33. Until I know more exactly how far these Wuttuns are to be considered in the light of private property, and how far the faith of Government is pledged to their continuance, I shall not moot the question of their resumption, but if they retain, as I cannot but suppose they do, any thing of the character of a public salary or stipend, I think that no legitimate opportunity of reducing them should be foregone.

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APPENDIX No. 535

Inam Commission, Bombay.

34. There is now before us the case of a Deshmook in the Sholapoor Collectorate who receives Rupees 540 per annum, who has been convicted of dacoity by Captain Meadows Taylor, Deputy Commissioner in the Western Districts of the Hydrabad Territory, sentenced to 5 years' imprisonment and to pay a fine of Rupees 1,000. Mr. Goldfinch, the Collector of Sholapoor, in forwarding his Assistant's recommendation that his hereditary lands and allowances shall be confiscated observes that "nothing short of this "will impress upon the minds of men of Nursing Rao's class, the determination of "Government to visit most severely, any participation in such crimes as that moved against "this man by any Government servant hereditary or not."

"The influence of men of Nursing Rao's class is very great in the Mahratta Talooks, "and were that influence exerted in aid of the Police in their endeavours to put down the "systematic robberies by large gangs of men that too frequently occur, more success would "attend their efforts. It is notorious that no professional robbers such as generally engage "in these undertakings can exist without the protection (Asora) of district or village offi-"cers.

"The mere removal from office as unqualified, is by no means a sufficient punishment "in such a case as the present, not only the man himself but his relatives and dependants "should be made to feel the consequences of his crime. The extreme reluctance displayed "by Government to confiscate Wuttuns under any circumstances, has, the Collector thinks, "been carried too far, and an impression exists amongst the class of hereditary servants "that no matter what crimes they may commit, their Wuttuns are safe."

Mr. Reeves, the Revenue Commissioner, concurs in these remarks with the exception of the last sentence. It appears however that under the Law as it stands, the impression of the Hereditary Officer is perfectly correct. Under Act XI. of 1843, Section VII. the Collector in cases of misconduct or incompetency on the part of an officiating Hereditary Officer may, after investigation, and after having obtained the sanction of the Governor in Council, dismiss him from his employment; but it is evident from the Legal Remembrancer's opinion given upon this case, that Section IX. of the same Act only authorizes the *confiscation* of the Wuttun in cases of fraud and malversation, or of any criminal offence *in the conduct of the duties of the office.* An Hereditary Officer may therefore practice Thuggee or Dacoity without incurring the penalty of the confiscation of his Wuttun.

It seems to me that this is wrong, and that unless the emoluments of Hereditary Officers are considered strictly in the light of private property, Government should possess, and should invariably exercise, the power of resuming the Wuttuns of such Hereditary servants as may be convicted of felony.

35. I now come to the last and the most important subject which Captain Cowper has touched upon in this letter, the future conduct of the enquiry into alienated revenue, and the means by which it should be completed.

Paras. 94 to 113.

36. No alteration, he thinks, is desirable in the six (Deccan) Collectorates to which the provisions of Act XI. of 1852 apply. The financial results in these Collectorates are decidedly satisfactory, and the progress of the work will be much accelerated, now that the preliminary operations have been in most parts completed.

37. Sattara does not require an expensive separate establishment. An Assistant Commissioner is all that is necessary. Captain Cowper thinks that the appeal from his decision should be to the Inam Commissioner N. D. This is a matter of detail which may well be left to Captain Cowper's decision.

38. The extension of the enquiry into the Guzerat and Concan Collectorates, Captain Cowper describes as being beset with difficulties, and I entirely agree with him; the whole

question of rent-free lands in Guzerat is involved in seemingly inextricable confusion and obscurity. Captain Cowper has, in the earlier part of his letter, instanced some of the abuses and anomalies which prevail in these Collectorates; but he has not touched upon one circumstance, which was brought prominently to my notice during my tour in Guzerat, and which seems to me to make it very desirable, if not necessary, that the revenue survey and assessment should be introduced simultaneously with the progress of the alienation enquiry. I allude to the system which exists in many parts of Guzerat, of fixing the rent of a man's field without reference to its own productive powers, but to the profit derived by the owner from other lands held rent free, either on valid, or invalid titles, this system which is called Swadeo, was doubtless adopted by the Governments which preceded us as an expedient to equalize in a rude way the inequalities of taxation in those districts, in which a large proportion of the land was held in Inam. The Native Governments did not care, perhaps they did not feel themselves strong enough to resume Inams, either with or without enquiry into the validity of the titles under which they were held, throughout a distant and not altogether well affected province, so that they got an increase of revenue without ruining the cultivators or driving the people into rebellion, they were content. By overtaxing those portions of the estates of Inamdars as were avowedly liable to assessment, they attained their object without trouble.

Paras. 34 to 47 and 52 to 66.

39. But though they attained *their* object, they have rendered the accomplishment of *ours* exceedingly difficult, for, if the enquiry into the tenure of rent-free land in Guzerat should lead to the resumption of a considerable portion of it, it is evident that the abolition of Swadeo must accompany this resumption. The abolition of this anomalous impost, and the reduction of the assessment which will attend the introduction of the Revenue Survey, will probably, in most cases, be a sufficient set off against the resumption of invalid Inams.

40. I fear that it may not be possible for the alienation enquiry to proceed pari passu with the revenue survey, but I do not see why the introduction of the new rates of assessment, and the abolition of all enhanced assessment on Government lands held by Inamdars should not be deferred until the alienation enquiry is completed. It will not be necessary, nor would it be desirable, to wait for the completion of the whole (though this must be effected before the year 1863), but one talook after another may be settled. In this manner the reduced rate of assessment, and the abolition of Swadeo and all other extra sources of revenue, will be accepted by the holder of resumed alienations, as compensation for the loss of their Inams, while the Government revenue will not suffer by the prior abolition of a tax, which no doubt owes its origin to the prevalence of these unauthorized appropriations, and was intended in some degree to make up for them.

See para. 111.

See Mr. Young's Memo. of 10th Aug. 1855, para 19.

41. The last fifteen paragraphs of Captain Cowper's letter are devoted to an elaborate rehearsal of the difficulties under which the enquiry has laboured and continues to labour, and to a suggestion somewhat obscurely worded of what he considers essential to its successful completion. It is far from my intention to undervalue the difficulties against which Captain Cowper and the able officers who have been associated with him in these investigations have had to contend, of the general implication of the Hereditary Revenue Officers in the system of concealment by which Government has been so extensively defrauded, I can have no doubt. The correspondence regarding the Deccan Suringams and other proceedings of the Inam Commission have also shown that, in many instances the stipendiary servants of Government have been deeply concerned in the work of deception. That the whole class of pettifoggers, who live by intrigue and roguery, should combine to thwart and baffle the enquiry, does not surprise me. It would indeed be wonderful if it were otherwise.

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42. The measure which Captain Cowper recommends for bringing the enquiry to a successful issue may, I think, be divided into two parts. The first is the concentration of all correspondence connected with alienations in one department. The examples which he quotes of the inconvenience and inconsistency, which attend the present system of considering some cases in the Revenue and others in the Political departments are quite sufficient, I think, to establish the expediency of this part of Captain Cowper's proposition, but when he goes on to argue that, unless the enquiry is carried on under the immediate direction and control of Government, it must necessarily fail, which is the only meaning that can be placed upon his 109th and 110th paragraphs, I confess that I am wholly unable to go along with him.

43. I admit freely that it is necessary that the officer who is charged with the general conduct of this important enquiry should have at all times access to the records of Government; that he should be fully competent to deal with technical difficulties; that he should be clothed with ample authority, and that he should receive from every public officer the fullest support and co-operation; but I do not conceive that it follows that these advantages are only to be obtained by, or will necessarily follow from, Government undertaking the immediate direction and control of the enquiry.

44. Captain Cowper acknowledges that he has received from Government the utmost encouragement and support, but he says that if with this support, and with all the knowledge he has acquired from years devoted to this particular work, he still finds his position beset with difficulties, how much more serious would these difficulties be, if any thing should happen either to deprive the Alienation Commission of his service, or of the support of Government, such I take to be the meaning of his 110th paragraph.

45. I do not wish to dissemble the extent of the loss which it would sustain by the former of these contingencies. Of the latter I do not foresee the slightest probability. But it is very possible that notwithstanding the support which he receives, and which I am confident that he will continue to receive from Government, Captain Cowper finds himself occasionally indifferently seconded if not silently opposed by the European officers of Government, from whom at least he has a right to expect assistance and co-operation. I do not believe that this kind of opposition would be altogether disarmed, if Government were to take the direction of the enquiry into its own hands. It arises chiefly from a feeling of mistaken sympathy with the holders of Inams, which would be rather increased than diminished by the more direct intervention of Government.

46. There is one feature of this proposal which is not found in this letter, but which has been explained to me by Captain Cowper himself, which is alone, perhaps, sufficient to condemn it. It would probably, I believe I may say certainly, involve the creation of an additional Secretary to Government. Captain Cowper indeed did not admit the necessity of this, and expressed his readiness if he were appointed to the office to undertake the work of other departments in conjunction with that of the alienation enquiry; but I would observe in the first place, that the amount of detail which already comes before this Government is so great that our Secretaries are overtasked, and the action of Government itself impeded by it; the real function of Government is to supervise and exercise a general control over the different departments, when it attempts to go too much into details, it oversteps the proper sphere of its duties. In my humble opinion, our error lies in this direction. I may say for myself that although I give my whole time to my official duties, the daily routine business consumes so large a portion of it, that I find it no easy matter to take up questions which, like the one I am now discussing, require much careful and deliberate consideration.

47. In the next place I would remark that the Court of Directors and the Government of India have repeatedly pressed the reduction of the number of our Secretaries upon

us. It is evident that a measure which will not only render the accomplishment of such a reduction impossible, but which, I believe, would necessitate an addition to that number, would not be in conformity with the views of the higher authorities.

48. But I may be permitted to doubt whether the efficiency of the enquiry would be promoted by the measure.

I have already spoken of the kind of opposition which, I think, it is calculated rather to strengthen than to overcome. I do not see how Government can give a greater share of its attention to alienation cases than it now does, without neglecting some of its other duties. I do not see how a Secretary to Government, especially if he undertakes to carry on the business of other Departments, can do more in that capacity than in the character of the responsible head of the alienation enquiry.

49. Even if an extra Secretary were granted, my conviction is that he could not.

A little more than two years ago the Police of the Presidency stood in nearly the same relation to Government in which Captain Cowper would have us place the alienation enquiry.

It was ostensibly under the immediate supervision and control of Government, and a Deputy Secretary found ample employment for his whole time in reviewing and commenting upon the proceedings of the District Superintendents. I am certain that the efficiency of the Police has been improved by the transfer of this ostensible superintendence to that of a responsible head of the department, and I do not see why, in the case of the alienation enquiry, the same result should follow from the exactly opposite measure.

50. To resume, I think that all the correspondence connected with Inams and other alienations of the public revenue should be considered in the same department, and I would suggest that this should be the Revenue department, and I consider that there should be a responsible head of the whole alienation enquiry throughout the Presidency through whom all correspondence should be conducted, and who should stand in the same relation to Government as the Commissioner of Police, or to take perhaps a closer analogy, as the Revenue Commissioner did when there was but one for the whole Presidency. I have already expressed my opinion that this officer should be invested with very ample powers. If this view is concurred in by my Honorable colleagues, I think that Captain Cowper should be called upon to state what additional authority is required to place the office upon a proper footing. I have no doubt that these powers will be readily granted, even if it were necessary to apply to the Government of India for a Legislative Enactment, to confer them. I am fully persuaded that Captain Cowper will not ask for any extraordinary powers, which are not absolutely requisite for the due execution of the duties, and that he will use any such powers as may be entrusted to him either by the local Government or the Legislature, with moderation and prudence.

51. In conclusion, I think that Captain Cowper's able Report should be submitted to the Government of India. It affords the information, which was called for by that Government on the 10th March 1855, and it cannot fail, I think, to impress that Government with a high opinion of the zeal and ability with which Captain Cowper discharges the duties of his laborious and invidious office.

(Signed) ELPHINSTONE.

20th December, 1856.

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APPENDIX No. 536

Inam Commission, Bombay.

No. 416 of 1857.

Revenue Department.

From

H. Young, Esq.,

Officiating Chief Secretary to the Government of Bombay.

To

C. Beadon, Esq.,

Secretary to the Government of India.

Dated 31st *January*, 1857.

Sir,

I am directed to request that you will place before the Government of India the accompanying report* from the Officiating Special Commissioner, Captain Cowper, which has been prepared in fulfilment of a call made on that Officer by this Government for the information required in your letter of the 10th March 1855, on the subject of the past progress and probable future duration of the alienation enquiry under this Presidency.

2. I am at the same time directed to submit a Minute recorded by the Right Hon'ble the President on Captain Cowper's report above quoted.

3. These documents will, it is believed, place the Government of India in possession of very full information on the subject of the present condition of the enquiry into alienations, which was commenced experimentally in the Southern Mahratta Country in 1843, and has since been carried on under the provisions of Act XI. of 1852, throughout the Deccan Collectorates.

4. The financial results of the alienation settlement so far as it has been effected are, as the Government of India will perceive,† most satisfactory, and its immediate extension throughout the whole Presidency is shown in the Report now submitted to be very urgently requisite.

5. Its introduction in the Province of Gazerat seems to His Lordship in Council more especially called for. The difficulty of the enquiry in that Province has, in the opinion of this Government, been already greatly enhanced, and its ultimate successful issue to some extent endangered, by the delay which has occurred in commencing the work; the immediate and vigorous prosecution of what appears imperatively necessary, not only to enable the State to secure its just rights, but also to put a stop to a demoralizing system of fraud and intrigue which has not only tainted the large class immediately benefited by it, but has tended more than any other circumstance to foster the corruption and dishonesty which, it is to be feared, too generally characterize throughout Guzerat the Native servants of Government on the Administrative Establishments.

6. The proposed measure will entail a considerable immediate outlay; but the sanction of the Government of India has been already given‡ to incur such expenditure, and it may be confidently anticipated that it will be attended eventually with similar financial advantages to those which have already been secured from the labors of the Inam Commission in the Deccan and Southern Mahratta Country.

* No. 953, dated 19th September 1856.

† Vide para. 14 of the Report.

‡ In Mr. Secretary Halliday's letter, No. 606, of the 11th October 1850, para. 3.

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Inam Commission, Bombay.

7. It has appeared to His Lordship in Council essential to that consistency of procedure, without which no settlement of alienations can be satisfactorily or impartially carried out, that every thing connected with the proposed enquiry should be disposed of by Government in one department (the Revenue); and not as has hitherto been the case, partly in the Revenue and partly in the Political department. It has also seemed necessary that the entire control of the officers and establishments employed in the alienation settlement, and the supervision of the entire working of the enquiry should be placed in the hands of a single selected officer, who, in all matters connected with alienated revenue, will be the only channel of communication with Government.

8. It will be necessary that this officer should be invested with powers which may enable him to command the co-operation of revenue officers, and to pronounce authoritatively on all matters connected with alienated revenues not involving judicial decisions on the validity of titles adjudicated by the Civil Tribunals or Inam Commission; and it is proposed, with this object, to invest him with the powers of review and control, now exercised by the Revenue Commissioners. His Lordship in Council can effect this object under the provisions of Regulation V. of 1830, and Act XVII. of 1842, by creating a Revenue Commissioner for alienated revenues.

9. The following is a summary of the measures which, after much consideration, His Lordship in Council desires to adopt, and for which I am to request the sanction of the Government of India.

1. The appointment of an Alienation Commissioner on the salary* of a Collector, with an allowance for office establishment, not exceeding (800) eight hundred Rupees per mensem.

2 The abolition of the appointment† of Sattara Special Commissioner; that officer's Assistant and office establishment remaining available for the prosecution‡ of the alienation enquiry in the Sattara District, under the supervision of the Inam Commissioner, Northern Division.

3. The extension¶ of the alienation enquiry to the six Concan and Guzerat Collectorates at an expenditure not exceeding the present cost of the Inam Commissioner, in the six Southern Collectorates. This extension was sanctioned in Mr. Secretary Halliday's letter of the 11th October 1850, to which I have been desired to refer.

4. The temporary appointment‖ of an officer, on a salary not exceeding that of a Second Assistant Collector, for the duty of completing the settlement of claims to compensation, on account of abolished cesses and duties.

5. The temporary appointment§ of an officer, on a salary not exceeding that of a First Assistant Collector, for the duty of enquiring into and reporting on the claims of the Thakore of Bhownuggur.

6. An enactment,** the draft of which accompanies, providing for the adjudication of claims to grain and money allowances throughout the Presidency, providing also by an additional clause for the transfer to the Inam Commissioners, or other officers specially appointed by Government, of the power at present vested in Collectors by Chapters IX. and X. of Regulation XVII. of A. D. 1827 of the Bombay Code.

* Rupees (2,333-8-4) two thousand three hundred and thirty three, Annas five, and Pies four per mensem, with deputation when actually in the Districts.

† Rupees (2,000) two thousand per mensem, with deputation during eight months, whether in the Districts or otherwise.

‡ Para. 96 of Report.

¶ Para. 97 of Report.

‖ Para. 66 of Report, and 22 of Minute.

§ Para. 67 of Report, and 23 of Minute.

** Paras. 68 to 74 of Report, and 12, 24, 25 and 26 of Minute.

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Inam Commission, Bombay.

7. An enactment,* the draft of which accompanies, providing for the recovery of the revenue records of the former Government, and for the punishment of the Hereditary Officers and others concealing and withholding these records.

10. I am directed to point out that, of the additional expenditure which it is proposed to incur, Rupees (650) six hundred and fifty per mensem, will be covered by the lately ordered† reduction to that amount in the Agency for Deccan Sirdars, the greater portion of the duties of which are now carried on in the Alienation Department

11. His Lordship in Council thinks, that, the Scinde Jageer enquiry should also be supervised by the officer at the head of the Alienation Department. On this account, however, no additional expenditure is necessary; the enquiry, indeed, has made such progress that a considerable reduction of the allowance, already sanctioned for its prosecution, will shortly be practicable.

12. The exceedingly unsatisfactory state‡ of the Hereditary Offices, and the fraud and abuse which have been discovered in connection with them, will doubtless attract the attention of the Government of India. The subject is one of considerable difficulty, and will continue to receive the attentive consideration of this Government.

13. Finally, I am to request that the Government of India will favor this Government with instructions at the earliest practicable date. Anticipating their sanction to arrangements, the pressing necessity of which this Government desire strongly to urge, the Sattara Special Commissioner has been charged with the general control and vested with the authority described in para. 8.

I have the honor to be, &c.

(Signed) H. Young,

Offg. Chief Secretary to Government.

(True Copies.)

Bombay Castle, 31st *January*, 1857.

H. Young,

Offg. Chief Secretary to Government.

* Para. 75 of Report, and 27 to 32 of Minute.

† Orders were issued in the Political Department on the 15th July 1856.

‡ Paras. 86 to 93 of Report and 29 to 34 of Minute.

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APPENDIX No. 537

Inam Commission, Bombay.

No. 422 of 1857.

FROM

THE REVENUE COMMISSIONER FOR ALIENATIONS.

To

THE COMMISSIONER FOR THE REVISION OF CIVIL SALARIES AND ESTABLISHMENTS THROUGHOUT INDIA.

DATED AT BOMBAY, *the 19th February*, 1857.

REVENUE DEPARTMENT.

SIR,

In reply to your letter, No. 787, dated the 17th instant, I have the honor to state, that the two officers therein referred to are Messrs. Ravenscroft and Arbuthnot, whose employment on their present duties in April last took place under the circumstances set forth in the Memo., dated the 16th April 1856, and resolution of Government, No. 1450, dated the 23rd diem, copies of which are annexed.

2. Mr. Ravenscroft had been specially employed, on a similar salary, some months previously, for the purpose of enquiring into certain extensive frauds discovered in the Surat Collectorate, a duty which merged into those he has carried on since his appointment described in para. 1.

3. The pay of each of these officers is really Rupees 1,000 (one thousand), as they both draw the permanent deputation allowance of a first Assistant Collector, Rupees 300 (three hundred) per mensem. Each has to traverse two Collectorates, to any portion of which he may at any time be, and constantly is, required to proceed.

4. The cost of this agency, which was employed in Guzerat as a temporary and emergent measure, is included in the expenditure proposed in para. 9, clause 3, of the letter, No. 416, dated the 31st ultimo from this Government to the Government of India, a copy of which has I believe been forwarded to you.

I have the honor to be,

SIR,

Your most obedient servant,

T. A. COWPER, *Captain.*

Revenue Commissioner for Alienations.

1914

APPENDIX No. 537

Inam Commission, Bombay.

Accompaniments to Captain Cowper's letter, No. 422, of the 18th February 1857.

MEMO.

It is very desirable that the enquiry regarding Guzerat alienated public revenue, should be forthwith fairly commenced. Its necessity has been most strongly advocated by each succeeding Revenue Commissioner for many years past, but of the extent to which a sweeping and thorough investigation is urgently called for, I have hitherto been little aware. I have lately perused with care, the reports regarding some of the Surat frauds submitted by the Collector and by Mr. Rogers, I have had the advantage of personal communication with Mr. Ravenscroft; and a great deal of which Government know nothing, has been pointed out to me by the Surat Deputy Accountant, Cowasjee Cooverjee, who is entitled to no small share of the credit of exposing a system under which wholesale fraud and conspiracy appear to have been, since our occupation of the country, perpetrated with impunity.

2. I at the first thought of proposing agency exclusively Native, believing it scarcely possible for any but a Native, thoroughly to understand the motives and influences required to be fathomed and appreciated, to admit of a complete exposure of the intrigue and plunder, to effect which, the whole of the public establishments appear to have been more or less in the habit of combining, added to the foregoing was the question of expense, and on this score there could, and can of course be no doubt that preference should be given to Native Agency.

3. With, however, the additional information I now possess, I have been forced entirely to abandon the idea. Well qualified and highly paid Native Agency must unquestionably be made use of, but I believe it to be absolutely necessary that the operations should be under the immediate control and supervision of Covenanted European Servants, specially selected. The only control possible for me to exercise, must be too general and distant to afford that check upon proceedings there, which should undoubtedly be at any instant available, though it is to be hoped that the occasion would rarely if ever arise. I do not mean to say that I am unable to name any Native who I believe to be free from corruption, but I do not mean to express my conviction that, with a certainty of exposure to most trying difficulty and to enormous temptation, it would be the height of folly to incur a serious risk which can, to a reasonable certainty, be avoided by placing at the head of each division of the work a well qualified European officer who cannot be hampered by, because in his case they exist not, any one of the innumerable ties of caste, connection, relationship, community of interest and other powerful influences, to ignore which would be simply to suppose it possible to obtain Native officers not only free from human feeling, but almost inaccessible to human feeling.

4. With this explanation, I proceed to state the arrangements which, after great and anxious consideration, are the best I am able to suggest for the execution of a task, certainly one of much difficulty.

5. To each of the Guzerat Collectorates, there should be appointed an intelligent and well-educated Native of hitherto unimpeachable character, whose duty should be that of collecting records, recording claims, obtaining general information, conducting preliminary enquiries, and submitting English reports on as many claims as he may find time to enquire into.

6. These Native officers to be under the immediate control and supervision of two gentlemen of the Civil Service, one placed in charge of the enquiry in the Surat and Broach, and the other of that in the Kaira and Ahmedabad Collectorate.

1916

APPENDIX No. 55

Inam Commission, Bombay.

7. For one of the appointments described in the last para. Mr. Ravenscroft is already available. For the other, I would propose Mr. Arbuthnot, at present 2nd Assistant to the Collector of Kaira. He was specially recommended for this duty by Mr. Rogers, and from all the information I have been able to obtain, I am inclined to believe, that experience would enable me to confirm Mr. Roger's opinion and recommendation.

8 With Mr Ravenscroft, I have had personal communication, enabling me to speak with confidence, and bearing in mind the peculiar circumstances of the proposed appointment, I strongly recommend, in the event of Mr. Arbuthnot being considered available, that he should be directed in the first instance to proceed without delay to the Presidency, whereby he may have an opportunity of learning the precise nature of the duties to be performed, and I have the means of forming an opinion of the likelihood of his being able and willing to perform them.

9. For the four subordinate appointments, I believe, I could find persons who I could recommend to fill them. The pay should, I think, certainly not be less than that of a Deputy Collector, and should they fulfil the expectations formed of them, they would after some years (say five) of approved service, undoubtedly well deserve increased romuneration

10. At the disposal of each European officer, I would place an establishment costing five hundred Rupees (500-0-0) per mensem, to be distributed among his two Assistants and himself, as found necessary. This charge would probably increase with the gradual thorough organization of the enquiry, and with its consequent capability of extension without additional supervision.

11. For the Tanna and Rutnagaree Collectorates, I do not think Covenanted European Agency absolutely required, the enquiry might probably be entrusted to a well educated Uncovenanted servant of some years' standing in the public service, to whom a salary of not less than five hundred Rupees (500-0-0) should be allotted to each of these charges, that of Tanna especially, would be a responsible and laborious one.

12. For the Tanna and Rutnagaree Collectorates, an allowance of five hundred Rupees (500-0-0) to be expended between the two officers as found necessary. An increase would probably be hereafter required for the reasons explained in para. 10.

13. The whole of the appointments described in paras. 5 and 11, should be probationary, and those nominated should be informed that their confirmation will depend upon a thoroughly satisfactory report of their qualifications being submitted to Government at the expiration of two years.

14. The salary for each of the European Officers, named in para. 7 to be that of a Junior 1st Assistant Collector, which is now drawn by Mr. Ravenscroft, i. e. seven hundred Rupees (700-0-0) per mensem, with deputation allowance of ten Rs. (10-0-0) per diem.

15. The expense of these arrangements would be as follows:

Messrs. Ravenscroft and Arbuthnot	1,400 0 0
Their four Native Assistants	1,400 0 0
Their Establishment allowance	1,000 0 0
Total Guzerat	3,800 0 0
Two Native Officers for Tanna and Rutnagaree	1,000 0 0
Their Establishment	500 0 0
Total Koncan	1,500 0 0

or an aggregate expense of five thousand three hundred Rupees (5,300 0 0) per mensem.

16. It seems most necessary that the Guzerat appointments should be made at once, the urgent necessity of the measure being hereafter fully explained to the Government of India, when submitting to them the report of the past history and present condition of the

alienated revenue of this Presidency, which I am now engaged in preparing, but which it must require some months yet to complete in that full and satisfactory form in which I feel that it ought to be, and in which Government doubtless expect that it will be submitted —even after its submittal a much longer period will probably elapse before the arrangements receive final sanction, which I apprehend however *must* be accorded, for there is apparently no option: on financial grounds the enquiry is most necessary, and a satisfactory financial result may reasonably be anticipated, but setting this aside, and assuming for the moment that no large amount of public revenue improperly alienated is likely to be recovered, it is nevertheless quite evident that matters cannot be allowed to remain as they are, and that *something* should *at once* be done. Yet even supposing that something to be a confirmation of the title of every person who may by any means have obtained possession of public revenue, Government could not carry out such an intention, for one of the greatest of the existing abuses is the absence of correct information, and in some cases of any information at all, regarding the condition, extent, and value of the hundreds of thousands of allowances and alienations of other descriptions with which, owing to past mismanagement and error, the public revenue of this Presidency is *burdened* to a extent elsewhere unknown.

(Signed) T. A. Cowper.

Bombay, 16*th April* 1856.

No. 1450 of 1856.

TERRITORIAL DEPARTMENT.

Revenue.

To

Captain T. A. Cowper,

Officiating Special Commissioner.

Copy of the Resolution passed by Government, under date 23*d April* 1856, *on a Memorandum from Captain Cowper, Officiating Special Commissioner, dated the* 16*th April* 1856.

Captain Cowper's proposals to be acted upon. Mr. Arbuthnot has been directed to proceed at once to the Presidency, and the subsidary arrangements to be made in anticipation of the sanction of the Supreme Government; but Captain Cowper to be strongly urged to complete the report alluded to by him with the least possible delay, as this Government cannot indefinitively defer asking for the confirmation of the Supreme Government to the proposed measures.

(Signed) H. Young,

Officiating Chief Secy. to Government.

(True copies.)

T. A. Cowper, *Captain,*

Revenue Commissioner for Alienations.

Note.—The necessary communications have been made to the Collectors in Guzerat and Koncan.

1918

APPENDIX No. 538

Inam Commission, Bombay.

No. 487 of 1857.

FROM

THE REVENUE COMMISSIONER FOR ALIENATIONS.

To

THE COMMISSIONER FOR THE REVISION OF CIVIL SALARIES AND ESTABLISHMENTS THROUGHOUT INDIA.

DATED AT BOMBAY, *the 23rd February*, 1857.

REVENUE DEPARTMENT.

SIR,

In reply to your letter, No. 797, dated the 20th Instant, I have the honor to annex a copy of the letter* of instructions, under which Messrs. Ravenscroft and Arbuthnot have been, and still are acting.

2. Mr. Arbuthnot has two Deputies, Messrs. Fern and Harrison, drawing respectively Rupees one hundred and fifty and two hundred and fifty per month, the salaries of the appointments they previously held. Each has now qualified himself for the full pay of a Deputy Collector, Rupees 350 per month.

3. Under Mr. Ravenscroft are employed Messrs. Appajee Ramchunder and Cooverjee Cowasjee, each on Deputy Collector's pay, Rupees 350 per month.

4. The amount expended monthly on account of the Subordinate Establishment of Karcoons, Writers, Peons, &c., has slightly varied, but the average has not exceeded the sum charged for the last month, which is shown below :—

Mr. Ravenscroft's Establishment	Rs.	385	6	6
,, Arbuthnot's do.	,,	322	12	0

I have the honor to be,

SIR,

Your most obedient servant,

T. A. COWPER, *Captain,*

Revenue Commissioner for Alienations

* No. 170, dated the 2nd June 1856.

1920

APPENDIX No. 538

Inam Commission, Bombay.

No. 170 of 1856.

FROM

CAPTAIN T. A. COWPER,

Officiating Special Commissioner.

To

E. W. RAVENSCROFT ESQ.,

On special duty.

DATED AT BOMBAY, *the 2nd June,* 1856.

REVENUE DEPARTMENT.

SIR,

I have the honor, under instructions from Government, to inform you that you are to conduct an enquiry into alienations of Public Revenue in the Collectorates of Surat and Broach.

2. You have been vested with the powers of an Assistant Collector and with those of a Magistrate (that of review excepted) throughout Guzerat. This has been done to enable you, should occasion arise, to conduct enquiries in any one of the four Collectorates.

3. The District Deputy Collector of Surat, Mr. Appajee Ramchundur, and the Mamlutdar of Chowrasee, Mr. Cooverjee Cowasjee, have been placed under your orders; both have been vested with the powers of a Deputy Collector and Magistrate throughout Guzerat; the former is to be employed in the Broach, and the latter in the Surat Collectorate; there is nothing, however, to prevent your availing yourself of their services in either Collectorate should you find it necessary.

4. The first duty performed in each Collectorate should, I think, be that of ascertaining and letting me know the state of the Guzerat Government records, in how far these documents, are in their present condition available for purposes of your enquiry, and what further measures are required for their perfect arrangement and security. This should be done with regard to each Mamlutdar's as well as the Collector's Hoozoor records.

5. It is very desirable that all valuable documents relating exclusively to alienations of revenue should be, as soon as possible, separated and deposited in some place of security. You will probably find it necessary to separate other documents containing information not thus exclusive, and these you must so arrange as to enable you to furnish from them any information which the Collector's department may require.

6. Many of the records of a date subsequent to the introduction of the British rule, have been made away with in some cases apparently in the most wholesale manner. This is a subject which should be carefully enquired into at an early date. It is probable that these records are still in existence, the tax system that has hitherto prevailed may, in a great measure, account for, though it cannot at all justify their removal. You should endeavour to obtain possession of them and, as a general rule, you should not attempt to punish parties who now produce them on your requisition, but you should make it clearly known that after this requisition has once been made, the discovery of any of these documents in the possession of any private individual will be immediately followed by his prosecution as a receiver of stolen property; I request that you will follow this course without any exception whatever, and that you will desire your deputies to do the same.

1922

APPENDIX No. 538

Inam Commission, Bombay.

7. In every case in which you may find Government records of the above description missing and apparently irrecoverable, at any rate for the present, you should record whatever the Hereditary Officers may have to say in explanation. This should be done carefully, and submitted to me, with your full report and opinion, accompanied by a statement of the whole of the emoluments which these Hereditary Officers now receive. It shall be my earnest endeavour to put a stop to this system. These classes have, for a series of years, received enormous sums from the Public Treasuries, while they have been relieved from nearly every duty for the performance of which the stipends were originally granted. Of the very little which has been expected from them, almost the only duty of any importance has been that of preserving the public records, and of preventing fraudulent and improper alienations of revenue; in this they have not only, generally speaking, failed, but they have directly or indirectly plundered or helped to plunder that revenue which they have been specially, and, in most cases, highly paid to protect.

8. Your next task must be that of obtaining lists as complete and correct as possible of each description of existing alienation—in many cases there will be much difficulty I fear, in obtaining correct lists, and it will probably be impossible at once to do so. Your only course here will be to get the work performed gradually, for I need not point out to you that whatever is now done must be done correctly.

9. The alienation of land revenue should be ascertained by obtaining from each village accountant a statement according to the form* herewith furnished.

10. The Mamlutdar should receive these statements, and should be instructed to obtain in every case the counter-signatures of the Hereditary Officers of the district; the representative of *each* share of each Wuttun should be required thus to attest the correctness of these statements, as it is essential that the Wuttun, *as a whole*, should be held responsible.

11. These statements should be prepared in quadruplicate, the Mamlutdar retaining one copy and forwarding to you the remaining three; of these, one should be sent to the Collector, one kept for your own records, and the third transmitted to me—uniformity of size in their preparation must be strictly enjoined, as it will be necessary to bind them.

12. Each Tullatee should, in like manner, frame and forward, in quadruplicate, a statement, according to the accompanying form,† of the sum disbursed on account of village expenses (Gam Sadur.)

13. You should require from each District Treasury triplicate lists according to the accompanying form‡ of every existing cash allowance, excepting the salaries¶ of Government servants.

14. You should request the Collector to furnish similar statements of cash payments made from the Hoozoor Treasury.

15. Each Mamlutdar should forward to you a triplicate list, prepared according to the accompanying form,§ of the alienated villages in his district. This list should include every village, the *whole* of the revenue of which (minor alienations excepted) is not received by Government, and its correctness should be attested by the Hereditary District Officers.

16. This, I believe, provides for complete lists of alienated revenue of every description; should, however, any omissions occur to you, I beg the favor of your pointing them out to me before you carry these instructions into effect, and to guard as far as possible against mistakes, it will be well in the first instance to obtain the Collector's opinion on this point.

* No. 1. † No. ‡ No. 3.

¶ The salaries or emoluments of Hereditary Officers should be included.

§ No. 4.

APPENDIX No. 538

Inam Commission, Bombay.

17. The whole of the above returns* should be framed for the official year ending the 30th April last, that is to say, they should show the state of things existing on the 1st of the following May.

18. No subsequent alteration whatever in these Returns or in the Public Records from which they have been framed, should on any account be made, excepting under specific instructions from the Collector issued after communication with this department. The Collector will be requested to issue the most stringent orders in this matter, and I beg that it may receive the constant and careful attention of yourself and your deputies, and that every case in which any such alteration may be found to have been made without the Collector's order obtained as aforesaid, may be forthwith brought to that Officer's notice, that a severe example may be made of the offending party or parties.

19. Whenever you receive from the Collector a communication of the nature described in the last para., you will at once ascertain whether the alienation is prima facie, continuable or not; if you find it to be one which should clearly cease, the title should be at once adjudicated. In all other cases you should request the Collector to direct continuance to whoever he may find to be the heir, the name of the last incumbent remaining on the Government books, and the person to whom continuance may be ordered being distinctly informed that his claim to enjoyment has been admitted, and will be considered valid *only* pending final adjudication in the manner prescribed by law. With this reservation his name will be entered in the Public accounts as the person having possession recognised by Government to the extent aforesaid.

20. The course laid down in the last para. is not intended in any way to abrogate or supersede any rules at present, in force under which each new recipient of a Girass allowance is required to furnish security for good behaviour, nor is it intended to interfere with any arrangement of this description now in force. In some cases, indeed, those of Girassias especially, their enforcement is so intimately connected with tenure and title, that it must engage your attention just as much as any other portion of the enquiry.

21. Portions of Guzerat have at different times since the introduction of the British rule been surveyed; you should obtain as soon as possible, the whole of these survey records and have them arranged and placed with the other selected documents; the Hereditary Officers should be called upon to produce all the survey records in their possession.

22. Whenever you may call upon any person to prove his title to hold any land, wholly or partially, free from assessment, you will invariably obtain from him a statement of the whole of the land held by him, and the assessment paid thereon together with explanation whether such assessment has been fixed with any reference to the alienated land in his possession, you should at the same time require him to prove his title to everything, whether alienated land or money allowance, held or claimed by him from the State; by following this course much private and public inconvenience will be obviated.

23. A form† according to which you should record the statements of claimants is herewith forwarded; it is very possible that this may admit of modification; if so, I beg that you will let me know, but you should not make any alterations without my concurrence.

24. The genealogical table or pedigree of each claimant should, in every instance, be recorded by him on solemn affirmation, and its correctness should be attested in like manner by each of the District Hereditary Officers. Whenever you may discover falsehood in these statements on any material point, and when you may have reasonable grounds for

* Paras. 9, 12, 13, 14 and 15.

† No. 5.

1924

believing the falsehood to be wilful, you will at once prosecute both the claimant and the Hereditary Officer for perjury, and you will at the same time communicate the circumstances of the case as regards the latter to the Collector, to enable him to take the requisite measure regarding the Hereditary Officers' Wuttun and emoluments.

25. I forward herewith a set of rules* regarding copying documents, and request you will enforce their strict observance.

26. A copy of my letter, No. 171, of this date to the Collectors* named in the margin is annexed herewith for your information.

* The Collectors of Surat and Broach.

I have the honor to be, &c.

(Signed) A. Cowper, Captain,

Officiating Special Commissioner.

(True Copy.)

T. A. Cowper, *Captain*

Revenue Commissioner for Alienation.

* No. 6.

APPENDIX No. 539

Inam Commission, Bombay.

Extract paras. 83 *to* 86, *from Captain Cowper's letter to Government, in the Revenue department, No.* 1335, *dated the* 30*th April* 1857.

83. The observations I desire to submit in connection with the foregoing record of my proceedings during the past twelve months are few, and refer chiefly to the future conduct of an enquiry which, unless it can be prosecuted under very altered circumstances, had better, I am satisfied, cease. I have, I know, been thought by many, for whose opinions I have every respect, to take an exaggerated view of the difficulties of my own position, and of the unsatisfactory state of the Government Agency. I have been hitherto content to bear this, and to hope against conviction, but it were dishonest longer to abstain from, at any rate, stating this conviction freely and fully, strengthened as it has been by every succeeding occurrence for months and months past.

84. Of the state of things existing throughout this Presidency, this summary, the one which I have this day submitted in the Political department, and the still more detailed report which has been forwarded to the Government of India, cannot afford a very unfair criterion, and it must, I think, be self evident that no officers in my position can successfully deal with it. It can answer no useful purpose to continue daily to make public error, neglect, and inefficiency, directly or indirectly attributable to causes toward the effectual removal of which no progress is made, and it must be much worse than useless to attempt to prosecute an unpopular and exceedingly difficult enquiry by means of inefficient and corrupt Native subordinates* emboldened by half a century of impunity, while to reform and purify such Agency unassisted, and frequently opposed, by the European officers charged with its immediate control, must be simply impossible.

85. I have no hesitation whatever in declaring the European officers of Government to be the real difficulty against which I find it hopeless to contend, and to overcome which requires not only power which I do not possess, but an exercise of such power not as yet attempted. Is it possible, I would ask, that conduct on the part of the highest officers such as that of which the specific instances hereinbefore adduced convey any thing but a full conception, can have any but the very worst effect upon the subordinates whom these highly paid officers are supposed to control by example and tuition, and is it, moreover, at all probable that with these causes in active and continued operation, the measures of Government for the success or failure of which I am primarily responsible, can be quietly carried out? To both these questions the reply must be a decided negative.

86. Even now I find it a most difficult matter to induce Natives to enter the department. It is not that qualified men cannot be found, for there are many, nor is it that the appointments are underpaid, for Government have allowed salaries which are felt to be liberal. But there is a general dread of the consequences likely sooner or later to fall upon subordinates known to have been mainly instrumental in exposures which render them obnoxious not only to many of their own people, but even to powerful officials from whom they believe they may have every thing to fear, a belief certainly not likely to be weakened by a knowledge of the correspondence recorded in this office during the preceding twelve months.

* Even now, "Karbaree no raj" signifying the rule of Native officials, is a cant term applied throughout Guzerat to its administration.

1926

APPENDIX No. 541

Inspector of Prisons, Bengal.

EXTRACT FROM A LETTER FROM DR. F. J. MOWAT, INSPECTOR OF JAILS LOWER PROVINCES, TO THE SECRETARY TO THE GOVERNMENT OF BENGAL, No. 987.

Dated 1st March 1856.

Insufficiency of present rate of Travelling allowances

Paragraph 13. The present rate of travelling allowance, ten rupees a day, has fallen very far short of the actual outlay for mere locomotion. Were it made a consolidated regular charge of 250 rupees a month, as I understand to be the case with some Commissioners whose jurisdiction is certainly not a tenth part of the extent of mine, I should not, in the long run, be so heavy a loser as I am at present.

This matter was also urged on the attention of the Government by my predecessor, Mr. Loch, in paragraph 6 of his letter to the Secretary to the Government of Bengal, quoted in the margin* for readier reference. My sole object is to be re-imbursed for the actual outlay incurred, and not to derive any personal advantage from the allowance in question.

(True Extract)

M. M. FRIEND PEREIRA,

Head Clerk, Office of Inspector of Jails, L P.

*With the more intimate knowledge I now have of the country, I doubtless might in the same time visit, in another year, even a greater number of districts than what I have done; but I would respectfully remark that Government can hardly expect that the officer holding my appointment should year after year be on the move 8 months during the 12, embracing in them some of the most trying months to a person's health, often existing without any of the most ordinary comforts, which in this country are necessaries, frequently without an attendant, and at the same time putting himself to a considerable pecuniary loss, for as the greatest portion of my inspection has been by dawk, and I was generally every third night on the road, 10 Rupees per diem has not nearly covered the expense.

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APPENDIX No. 542

Inspector of Prisons, Bengal.

No. 368.

To

H. RICKETTS, Esquire,

Commissioner for the Revision of Civil salaries.

Dated Fort William, *the* 23*rd June*, 1856.

Sir,

In compliance with the order contained in your letter No. 236, dated 7th June, with an enclosure, I have the honor to submit the following statement regarding the duties and responsibilities of my present office.

2. The Inspector of Jails in the Lower provinces is vested with the power, first, of introducing into all Jails a stricter system of classification, management and discipline. Secondly, of checking all unnecessary expenditure for establishment and food, and of rendering the labour of convicts as profitable as possible, without losing sight of the essential objects of imprisonment.

3. He also has to advise the Government on all questions connected with the building of new Jails, the remodelling of old ones &c. In fact, in most particulars, the power and responsibility of the Inspector of Jails in the Lower provinces are very similar to those of the Inspector General of Prisons in the North Western Provinces.

4. The Inspector of Jails, Lower provinces, has under his charge 56 Zillah Jails and 43 outstation Lock-ups, in Bengal, Behar, Orissa, Assam, and Arracan.

5. The extreme range of his jurisdiction extends from Debrooghur in Upper Assam to Sandoway in Arracan, and from Mootihary in Behar to Poorce in Orissa. The outlying stations of the South Western Frontier Agency are also under his charge.

6. He is required, if possible, to visit every Institution under him at last once in each year.

The extent of jurisdiction is more than double that of the North Western Provinces, with much more difficult means of communication.

7. In regard to sanctioning expenditure without reference to the Government, the power is the same as that detailed in the Memorandum of Mr. Williams.

8. He has nothing as yet to do with rewards for the recapture of prisoners.

9. In regard to auditing bills, there is at present a slight difference between the practice of Bengal and that of the North Western Provinces, as in the Lower provinces Magistrates are empowered to incur charges on account of the things noted in the margin,* without reference to any higher authority.

*Clothing, half yearly
Blankets, annually.
Whitewashing, quarterly.
Contingent guard over working prisoners.
Prison rations and cooking pots.
Hospital and extra diet.
Ditto Bazar medicines.

Oil for Jail.
Iron and Charcoal for making or mending Tools and Fetters.
Baskets.
Brooms.
Ropes.
Dhoona.

Sagesmatty.
Khar
Gumlahs for privies.
Mats or Tat pat for bedding.
Shaving expenses.
Leather mozahs.
Funeral expenses.

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APPENDIX No. 542

Inspector of Prisons, Bengal.

10. He has not at present the power of releasing short term prisoners, or of transferring convicts to other Jails, but he is the responsible adviser of the Government in these matters, and in the selection of the Jails to which prisoners are to be sent, who are sentenced to banishment.

11. In addition to the Superintendence of Jails, the Inspector is charged with the inspecting of the dispensaries in the Lower provinces, regarding which he has to furnish Inspection Reports to the Government. They are 43 in number.

12. The Lunatic Asylums are not at present placed in his charge, as most of them are at the Head Quarters of Superintending Surgeons.

13. The responsibilities are nearly the same as those of the Inspector General in the North Western Provinces, but the amount of work and travelling must be considerably greater—proportioned to the more extended jurisdiction.

I have the honor to be,
Sir,
Your most obedient Servant,
F. J. MOWAT,
Inspector of Jails, Lower Provinces.

APPENDIX No. 543

Inspector of Prisons, Bengal.

No. 584.

To

H. RICKETTS, Esquire, C. S.
Commissioner for the Revision of Civil salaries and Establishments throughout India.

Dated, on Board the Honorable Company's Steamer "Megna," Sunderbunds.
The 27th August, 1856.

MISCELLANEOUS.

Sir,

Having now procured the information required by your letter No. 350, dated the 5th July, 1856, I have the honor to furnish the following statement regarding the distance which I have to travel to complete my annual tour of inspection.

2. The calculations given have been furnished by the Post Office from the particulars of the tour which I actually made, with the exception of one or two small portions which I am unable to undertake until the commencement of the next cold season.

	Miles.		Miles.
Calcutta to Pooree..	297	..... back.....	297
„ „ Bancoorah via Rancegunge.	161		
Bancoorah to Beerbhoom.	52		
Beerbhoom to Calcutta..	127		
Calcutta to Hazareebagh.	239		
Hazareebagh to Patna.	130		
Patna to Calcutta, via Arrah, Chupra, Mooteharry, Tirhoot, Monghyr, Bhaugulpore, Purneah, Dinagepore, Maldah, Rajashye, Moorshedabad, and Nuddeah.	698		
Calcutta to Jessore, via Barasct.	78	..... back.....	78
„ to Sandoway via Chittagong, Akyab and Ramree	798	..... „	798
Calcutta to Debrooghur via Furreedpore and Dacca... ..	804		
Debrooghur to Chirra Poonjee via Jamulpore, Mymensing and Sylhet..	732		
Cachar to Tipperah via Daoodkandy.	196		
Daoodkandy to Noakhally.	107		
Noakhally to Calcutta.	293		
Calcutta to Sumbulpore via Hazareebagh, Lohardugga, Maunbhoom and Singbhoom.	489	..... back.....	489
Calcutta to Darjeeling via Pubna, Bograh and Rungpore..	538	..... „	538
	5,739	.....	2,200
	2,200		
	7,939		

3. If I could complete the whole circle without once returning over the same ground, the actual distance would be about 6,000 miles. But as this is manifestly impossible, I believe that 7,000 miles is the minimum that I have to accomplish by any arrangements that I can make.

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APPENDIX No. 543

Inspector of Prisons, Bengal.

The post office calculation falls considerably short of the actual distance, for it assumes roads to exist where are none, save in Mr. Bennett's Maps, and makes no allowance for the very numerous rivers which have to be crossed by ferries, and of which the charges vary from four annas to one rupee each.

4. I find it exceedingly difficult for me to fix a daily charge that would remunerate me, as my daily distance varied from 40 to 100 miles, in some cases even more.

If I were allowed a consolidated sum of 300 Rupees per mensem all the year round, it would probably cover all actual charges incurred; as in that case I should adopt different modes of locomotion for different parts of the country, so as to travel over the ground as rapidly as possible. The greater part of my tour could then be accomplished in the cold season of each year.

I have the honor to be,
Sir,
Your most obedient Servant,

F. J. MOUAT,
Inspector of Jails, L. P.

APPENDIX No. 544

Inspector of Prisons, North Western Provinces.

No. 553 *A of* 1856.

From

C. B. THORNHILL, Esquire,
Officiating Secretary to the Government of the North Western Provinces,

To

HENRY RICKETTS, Esquire,
Commissioner for the revision of Civil Salaries and Establishments throughout India,
Nynee Tal.

Dated Head Quarters, Nynee Tal, *the 22nd May* 1856.

JUDICIAL DEPARTMENT.

Sir,

In reply to your letter No. 79, dated 5th Instant, I am directed to transmit, in original, the documents noted in the margin, relative to the Office of the Inspector General of Prisons North Western Provinces, and to state that the salary originally assigned to the Office was, doubtless, fixed with reference to the standing in the service of Mr. W. H. Woodcock, the gentleman first selected as being specially qualified for the duty. It may also have been thought suitable with reference to the Official rank and emoluments of the Magistrates and Collectors who have charge of Jails in these Provinces.

Judicial Department Proceedings.

7th September	1844	Nos.	44 to 52
31st October	„	„	305 & 306
21st December	„	„	145 & 146
4th March	1846	„	21 & 22
27th April	„	„	165 to 167
6th October	„	„	22 to 25
30th December	1847	„	149 to 151
14th November	1848	„	129 to 132
29th December	„	„	301 & 302
28th February	1849	„	196 to 203
20th March	„	„	137 & 138
28th Do.	„	„	182 & 183
22nd November	„	„	278 to 280
13th March	1850	„	124 & 125
11th October	„	„	97 to 99
20th November	1851	„	122 to 124
26th May	1852	„	200 to 203
24th March	„	„	219
25th May	1855	„	437 & 438
2nd June	„	„	16 & 17

2. Eventually the Lieutenant Governor thinks, that when Central Prisons have been built in the different sections of the Provinces, and the system of their management has been matured and established, it may perhaps be possible to abolish the separate Office of Inspector General of Prisons, and to transfer the duties to the several Commissioners.

3. The return of the documents herewith forwarded, is requested.

HEAD QUARTERS,
Nynee Tal,
The 22nd May 1856.

I have the honor to be,
Sir,
Your most obedient Servant,
C. B. THORNHILL,
Officiating Secretary to the Government, North Western Provinces.

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APPENDIX No. 545

Inspector of Prisons North Western Provinces.

No. 1125 *of* 1856.

From

F. WILLIAMS, Esquire,
Officiating Inspector General of Prisons
North Western Provinces.

To

H. RICKETTS, Esquire,
Commissioner for the Revision of Civil salaries and
Establishments throughout India.

Sir,

As requested in your letter of the 5th Ultimo No, 78, I have the honor to submit a memo shewing the duties and responsibilities attaching to the appointment of Inspector General of Prisons North Western Provinces.

2. I believe it will show that there is a great difference between the Inspector in the Punjab and the Inspector in the North Western Provinces.

3. The first, I believe, is Superintendent of the Lahore Central Prison, but has the extra duty of visiting jails in the Punjab, reporting the result of his inspection to the Judicial Commissioner, and offering such suggestions as occur to him, but without any authority to act in any way; and beyond visiting, reporting and suggesting, the Punjab Inspector has no power or responsibility whatsoever.

4. I believe there are only twenty eight Districts in the Punjab.

5. The Inspector of Prisons in the North Western Provinces has forty four Districts to visit, and one tour of inspection to every Jail involves a journey of about 3,500 miles; and he is expected, if possible, to visit each Jail twice in a year, making the distance to be travelled 7,000 miles, having now to move over the country between Ghazeepore and Goruckpore on the South East, and the Punjab Frontier on the North West, and between the Southern boundary of the Saugor and Nerbudda Territories and the Himalaya range.

6. He has not only the duty of the Punjab Inspector, but also, to a considerable extent, the duty as far as concerns Prisons and Prisoners, Lunatic asylums and lunatics, of the Punjab Judicial Commissioner.

7. He has entirely the powers formerly exercised, according to circumstances, by the Judges of the Sudder Court, Commissioners of Divisions and Sessions Judges, and has duties, responsibilities and powers not entrusted to those authorities.

8. The work of maintaining existing Jail Buildings in repair, of designing and planning alterations of and additions to old Jails, and new Buildings, and many entirely new Jails, and checking the estimates and accounts, has been transferred to him from the Military Board and executive officers.

9. In addition to this, he has also the superintendence of the construction of the new Lunatic asylums, involving much of the work mentioned in the preceding paragraph, and all questions concerning sentenced lunatics and such patients are referred to him.

1938

APPENDIX No. 545

Inspector of Prisons North Western Provinces.

10. He has the checking and examining and controlling, with a view to reducing, every kind of account of expenditure connected with Jails, with powers in that respect entrusted only to officers of a high grade, and in conducting these duties has to deal with officers generally in receipt of allowances very little inferior to his own, and of nearly the same standing in the service.

11. The success with which this portion of the duty has been performed may perhaps be pleaded against any proposition to reduce the allowances to the Punjab standard.

12. The cost of 19,271 Prisoners in 1844, was Rupees 8,53,485-14-10; the total cost of 22,336 prisoners in 1855, with better Jails, more efficient guards and establishments, and great improvement in every way, was only Rupees 9,90,569-2-9, that is, with reference to the number of prisoners compared with the year 1844, there was a reduction, in 1855, of Rupees 2,93,326-15-0. The average cost of the whole of the Inspector's establishment is Rupees 39,112-14-6 per annum; the saving in the eleven years, after paying the cost of Inspector's Establishment, has been Rupees 12,93,326-15-0.

13. The most important part of the Inspector's duty, the consummation of the improvement of Jail discipline, the concentration of all long term convicts in central prisons, and the employment of all prisoners within the walls of the Jails on productive labor, the proceeds of which will more than cover the total charges eventually, while the severity of the punishment will be greatly enhanced, remains to be done.

14. When that is done there will perhaps be no further need of an Inspector.

15. I trust you will come to the conclusion that it is hardly expedient to risk the danger of impairing the efficiency of an officer who has such important duties before him, and not necessary to reduce the allowance of an office which secures an annual saving to Government of more than six times the cost of the whole establishment. Should you wish to see the annual reports of this office, I shall be happy to send them.

I have the honor to be,
Sir,
Your most obedient Servant
F. WILLIAMS,
Officiating Inspector General of Prisons North Western Provinces.

Office of Inspector General of Prisons North Western Provinces,
Camp NYNEE TAL,
the 5th June 1856.

APPENDIX No. 545

Inspector of Prisons, North Western Provinces.

MEMORANDUM.

When this office was created in 1844, the Inspector General of Prisons was vested with the powers, first, of introducing into all the Jails a stricter system of classification, management and discipline; secondly, of checking all unnecessary expenditure for Establishments and food, and of rendering the labor of convicts as profitable as possible to the state; and thirdly, in employing to the best purpose whatever sums it may from time to time be determined to expend either in the construction of new prisons or in the repair or alterations of old ones. The original number of Jails placed under the Inspector was 34; one of these, Gurwhal, has been absorbed. Subsequently eleven Jails in the Saugor and Nerbudda territories have been added.

The Inspector General of Prisons in the North Western Provinces, is vested with the same power and authority which were formerly given to the Sudder Court, Commissioners of the Divisions, and Sessions Judges of the Zillahs, for passing Jail expenditure, and internal management of all the Jails.

His authority with regard to expenditure is as follows:—Without previous sanction of Government, to sanction the disbursement of any sum not exceeding 500 Rupees, for additions to, alterations or repairs of Jails, on the necessity of which he and the local authorities may agree.

Ditto of sums not exceeding 500 Rupees by Magistrates, for the purchase of raw materials or implements for manufactures from the proceeds of convict labor, when carried to the credit of Government.

Ditto Rewards not exceeding 100 Rupees in each case, to Guards and other Public Officers for good conduct on the occurrence of breaches of Jail Discipline.

Ditto Rewards for the recapture of convicts escaped from the Jail, or out of it, not exceeding 100 Rupees in each case. If a sum in excess of this amount be required, report should be made for the sanction of Government.

Ditto Any miscellaneous item in the Jail, to an amount not exceeding 100 Rupees in each case.

To sanction the charges for the removal of sick prisoners from one to another Jail.

In Jails under the supervision of the Inspector General, Magistrates are not permitted to incur any charge on account of items other than the following, without the previous sanction of that Officer. Guards over working prisoners, hospital and extra diet, bazar medicines, oil for Jail and outlying gangs, charcoal for mending tools and fetters, buckets, baskets, brooms and ropes.

No item of Jail expenditure, although expressly sanctioned by the Inspector General, will be passed unless it has been first charged in the monthly Jail Contingent bill, countersigned by that Officer.

Jail Contingent bills are submitted monthly by the magistrates to the Inspector General of Prisons, supported by vouchers in original; who, after testing and examining, countersigns them, and returns them to the Magistrate to be included under the proper headings in the Judicial Contingent bill.

In order to enable the Inspector General to carry out more fully the objects of his appointment, it was determined by the Lieutenant Governor to vest the Inspector General with the

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APPENDIX No. 545

Inspector of Prisons, North Western Provinces.

power of passing contingent bills connected with Jails, which bills were formerly passed by the Sessions Judges. All the Sessions Judges in these Provinces were restrained from passing any such bills after the 1st November, 1846.

The Inspector General tests and countersigns all Indents for arms, accoutrements and ammunition required annually for the use of the permanent Jail Guards, and the value of the same is adjusted by him, and charged in the Jail Contingent bills with his sanction.

He also tests and countersigns all Indents for blank forms which are required annually for the use of the Jail, and also adjusts the cost for the same with the Superintendent Secundra Press.

He is authorized to release all prisoners whose sentence of imprisonment does not exceed three years, and whose bodily infirmity has been certified by the Civil Surgeon.

Do. Do. to transfer all turbulent and unruly convicts from the district Jails to the Central Prisons.

Do. Do. to dispose of convicts sentenced to banishment.

The Inspector General of Prisons is also authorized to hear appeals whenever the Officer in charge of Jails may punish, by dismissal or suspension, any person holding an Office in the Jail Establishment; and in any case in which he may see cause for interference, the decision is liable to revision. No appeal against such order can be heard by the Sessions Judge or any other authority.

In addition to the superintendence of all matters connected with Jails, he has the general charge of all matters connected with the Lunatic Asylums.

Submits his opinion in each case regarding the propriety or otherwise of releasing sentenced Lunatics and those acquitted on account of insanity after their recovery from the Lunatic Asylum.

He prepares plans and estimates for the construction of all Lunatic Asylums in these Provinces, and also is the only supervising Officer over the Magistrate for their construction.

F. WILLIAMS,
Officiating Inspector General of Prisons,
North Western Provinces.

APPENDIX No. 546

Inspector of Prisons North Western Provinces.

No. 1358 *of* 1856.

From

FLEETWOOD WILLIAMS, Esquire,
Officiating Inspector General of Prisons, North Western Provinces,

To

H. RICKETTS, Esquire,
Commissioner for the Revision of Civil salaries and establishments throughout India.

Camp, Nynee Tal.

Sir,

I have the honor to subjoin the following answers to the queries put in your letter of the 7th Instant, No. 235.

2. Government has ruled, in the orders of the 30th January 1845, No. 80 A, in the 13th paragraph, that "Sessions Judges will henceforth correspond with Government on matters relating to Jails through the Inspector's Office, so as to give him the opportunity of adding any remarks he may wish to offer." These orders were communicated to Sessions Judges under No. 590 of the same date.

3. It has been ruled that Sessions Judges must still, under act XVIII of 1844, be considered as having the control over the management of the Jails, and, in any matter which may be connected with the exercise of this authority, the Judge should be kept informed of what is passing; and according to law, Sessions Judges could issue orders to the Magistrates respecting the management of the Jails, even directly, if they had good grounds for so doing; but I can trace only two instances of such interference, and none of communication with Judges on measures in contemplation. It would appear that though it has been considered expedient to maintain the legal provision for the interference of superior local officers in cases of emergency, practically there has been neither the necessity nor the inclination to exercise the power.

4. But I should be obliged if you would correct the statements submitted from this office, and substitute the words "to some degree" for "entirely," where it is stated the Inspector has the power formerly exercised by the Sessions Judges. The same correction shall be made in this office.

5. The nomination to all superior appointments in the Jails is vested in the Magistrates generally. The confirmation of such nominations in the Inspector. The Jail guards are, by the orders of Government, dated the 15th July 1847, No. 2,983, "entirely subordinate to the Inspector in every respect. His instructions regarding the entertainment and discharge of the men will be followed, and he will make such arrangements as he thinks best regarding promotion to the higher grades."

6. The orders of Government of the 9th of April 1853, No. 1286, are explicit as to the powers of the Inspector to dismiss any Jail servant on the representation of the Magistrate.

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APPENDIX No. 546

Inspector of Prisons North Western Provinces.

7. In those published in the Agra Gazette of the 27th of September 1853, page 584, the provision that, in any case in which the Inspector General of Prisons or the Government may see cause for interference, the sentence shall be liable to revision, of necessity involves the power of restoration to office if the order has been dismissal.

8. According to law, some supervision of Jails is still vested in the Sessions Judges; but in practice it has entirely passed to the Inspector.

I have the honor to be,
Sir,
Your most obedient Servant,

F. WILLIAMS,
Officiating Inspector General of Prisons,
North Western Provinces.

Office of Inspector General of Prisons
North Western Provinces.
CAMP NYNEE TAL.
the 26th June 1856.

APPENDIX No. 547
Inspector of Prisons, Punjab.

No. 213.

From

H. M. CANNON, Esquire,
Officiating Inspector of Prisons in the Punjab.

To

H. RICKETTS, Esquire,
Commissioner for the revision of Civil Salaries and Establishments throughout India,
Nynee Tal.

Dated Lahore, *the* 21*st June,* 1856.

Sir,

In reply to your letter No. 213, dated 2nd June, 1856, I have the honor to inform you that the duties of the Office of Inspector of Prisons and Dispensaries in the Punjab are of a quadruple nature, and equivalent to three, if not four, distinct Staff appointments in the North Western Provinces and Bengal, and for which I receive a consolidated allowance of only Company Rupees 1,000 (one thousand) per mensem, and travelling allowance at the rate of one Rupee per mile whilst on my tour of inspection.

2. The duties are as follows:—

1st. Inspector of the 29 Jails in the Punjab, which contained in 1855, no fewer than 12,785 Prisoners.

2nd. Superintendent of the Lahore Central Jail, containing nearly 2,000 long termed Prisoners of the worst possible description, and from every District in the Punjab.

3rd. Inspector of the 25 Dispensaries in the Punjab.

4th. Superintendent of Vaccination.

The great distances of these Jails from each other entails upon the Inspector some very rough and expensive travelling, amounting during the year (should he visit all the 29 Jails) to about 3,000 (three thousand) miles.

3. If you will kindly supply the Salaries opposite the above mentioned appointments for the North Western Provinces and Bengal, you will then be able to compare the amount of work performed, and the great difference of the salaries between the Punjab and North Western Provinces.

4. With regard to my duties of Inspector of Prisons in the Punjab, I beg further to inform you, that I not only am instructed to visit every Jail once in the year, but have a very tedious and complicated kind of correspondence constantly passing through my office regarding Jail administration and management, Estimates for alterations and Buildings, Plans for Work-sheds, besides all the Monthly Bills to audit and correct before they are passed on to the Civil Auditor.

5. With regard to the second duties of my appointment, namely, that of Superintendent of the Lahore Central Prison, I consider then most responsible. This Jail is expected to be the model prison of the Punjab. I am entirely answerable for all the accounts, progress in manufactures, good behaviour and discipline amongst the prisoners, as well as the repairs, alterations,

and general management of the Jail, and this I am in a measure supposed to be responsible for during my absence on my tour of inspection.

6. With regard to the two latter appointments which have been lately added to the above charge, "namely, Inspector of Dispensaries and Superintendent of Vaccination in the Punjab, I believe it to be utterly impossible for any one individual, however zealous, to perform them with credit to himself or the advantage of Government. I have already felt the responsibility of this additional duty so much, and my inability to perform it, that were I not just about to resign the Officiating appointment, I should feel it my duty to send in my resignation, unless Government would consent either to withdraw the superintendency of the Lahore Central Prison, or the two last mentioned duties, from under my superintendence.

7. Should the above statement not afford all the information you require, I shall be happy to furnish you with any additional explanation.

I have the honor to be,
Sir,
Your most obedient Servant,
H. M. CANNON,
Officiating Inspector of Prisons in the Punjab.

APPENDIX No. 548

Inspector of Prisons, Punjab.

No. 242.

From

H. M. CANNON, Esquire,
Officiating Inspector of Prisons in the Punjab,

To

HENRY RICKETTS, Esquire,
Commissioner for the revision of Civil Salaries,
Nynee Tal.

Dated Lahore, *the* 14*th July,* 1856.

Sir,

I have the honor to acknowledge the receipt of your letter No. 349, dated 5th July, 1856, requesting to know whether there is not a Deputy Inspector of Prisons in charge of the Lahore Jail.

2. In reply, I beg to inform you that the title of "*Deputy Inspector*" is a misnomer, and was altered last year, by order of the Chief Commissioner, to that of "*Deputy Superintendent*" of the Lahore Central Jail.

3. Mr. C. Bryan, the present incumbent, is an Uncovenanted officer on Company's Rupees 150 per mensem; his duties consist almost entirely in superintending the manufactures in progress, and the repairs and alterations in the Jail. He is not vested with any power whatever as regards Jail management or discipline, nor can he award punishment for misconduct, or grant indulgence for good behaviour. His time is fully occupied in supervising the works, noted in margin,* and attending to orders from the different stations.

*1. Printing Presses, No. 3.
2. Carpet Manufactory.
3. Tant Do.
4. Rope Do.
5. Cloth Do.
6. Carpenter's Shop.
7. Miscellaneous Works.

4. On my being absent from Lahore on duty, the charge of the Jail is invariably handed over to either the Deputy or Assistant Commissioner of Lahore, but all correspondence, bills and indents, are forwarded to me, wherever I may be, for reply and signature.

5. The enclosed letter, as noted in margin,† will shew you that the Inspector of Prisons for the Punjab has already been relieved from the duty of Superintendent of the Lahore Central Jail, by order of the Chief Commissioner.

6. With regard to the last paragraph of your letter, I am of opinion that, under present circumstances, the Vaccine Departments can be supervised at the same time and in the same manner as proposed, in connection with the Dispensaries, but certainly not with the same care and efficiency that would result if it were made a separate appointment, and which, in my opinion, the importance of the subject, and especially in the Punjab, urgently requires.

Lahore,
The 14*th July,* 1856.

I have the honor to be,
Sir,
Your most obedient Servant,
H. M. CANNON,
Officiating Inspector of Prisons.

† No. 346, dated 9th July, 1856.

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APPENDIX No. 549
Inspector of Prisons, Punjab.

No. 301 *of* 1856.

From

C. HATHAWAY Esquire,

Inspector of Prisons in the Punjab,

To

H. RICKETTS Esquire,

Commissioner for the revision of Civil Salaries and Establishments throughout India.

Nynee Tal.

Dated Lahore, *4th October* 1856.

Sir,

In reply to your letter No. 525, of the 17th September last, I have the honor to forward the statement called for therein.

2nd. I would beg to take this opportunity of informing you that not more than two thirds of the distance travelled over every year, admits of being done by dâk bearers. The remaining distance has to be performed partly by riding on horse or camel, and partly by Country Boats on the Indus. The progress is therefore very slow, and attended by much fatigue and exposure, while on the frontier there is always more or less risk of life in proceeding through the passes.

3rd. It was fully understood that the salary of the appointment would be made equal to that of the Inspector of Prisons in the North West Provinces or Bengal; the latter appointment being held by a Medical Officer. The work both mental and physical, has increased nearly threefold since the commencement of my duties, and the Annual Report called for by Government requires fully six months of close labour in its preparation.

LAHORE,
Inspector's Office,
The 4th October 1856.

I have the honor to be,
Sir,
Your most obedient Servant,

C. HATHAWAY, M. D.
Inspector of Prisons in the Punjab, Lahore.

Number of Prisons.	Number of Prisoners on the latest date for which accounts are immediately available.	Actual present cost of Jail Establishments per mensem.	Distance to be travelled in order to visit each Jail.
29	12,785	Contingent Guard..... 61,672-8-0 Permanent Jail Establishment... 33,300-0-0 Permanent Hospital Establishment..... 9,972-0-0 Permanent Jail Sepoy Guard.. 1,38,060-0-0 Total Cos. Rupees.. 2,43,004-8-0	2,845 Miles.

LAHORE,
Inspector's Office,
The 4th October 1856.

C. HATHAWAY,
Inspector of Prisons in the Punjab, Lahore.

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APPENDIX No. 550

Inspector of Prisons, Madras.

No. 465.

From

J. ROHDE, Esquire,
Inspector of Prisons,

To

H. RICKETTS, Esquire.
Commissioner for the revision of Civil Salaries and Establishments throughout India.

Sir,

I have the honor, in reply to your letter of the 10th June, to state the nature of my duties as Inspector of Madras Prisons, and the extent of my range.

The Office of Inspector of Prisons at Madras, a designation that by the way conveys a very inadequate idea of the duties of the office, arose, I believe, from a conviction on the part of Government, that the monstrous sentences for offences, and the inadequate mode in which they were carried out, involved a great expense to the public, without fulfilling the end for which punishment was inflicted. The correspondence between the Government, the Foujdarree Adawlut and Court of Directors on this point, had extended over many years without any definite result, the reduction in the terms of imprisonment, particularly, if my recollection is correct, in the case of those who in the famine of 1832—33 had been sentenced for long periods, originated the matter. Several questions came before Government in regard to particular prisons, and the necessity for a general reform, during the last few years, but from some cause or other the want of any comprehensive scheme and the setting aside of one resolution on another suggestion, prevented anything being done; the Court of Foujdarree Adawlut had more than sufficient work to superintend, even in the most cursory way, the jail establishments; personal inspection was of course out of the question. The Medical Board was constantly urging remedial measures, based on the suggestions of officers in charge of single jails, and having reference of course solely to the health of the prisoners. The buildings were altogether inadequate to the demands of the Board and orders of the Court. Instances of the inefficiency of the guards were of frequent occurrence, the jails had in many cases become rather asylums than places of punishment, and altogether it became evident both to the Government and the Honorable Court, that any reform, to be efficient, must be conducted on principles based on a knowledge of the existing state of the jails, of the state of the criminal population, of the habits of the people, and of the nature and result of the reforms which had been introduced elsewhere; these were I think the points principally alluded to. I am not sure whether a correspondence which filled two boxes, and had extended over a quarter of a century, with no other result than the erection of an expensive building as a "Penitentiary," and its condemnation before it had ever been occupied, had any immediate influence in inducing my appointment, though it at least shewed the necessity of it.

In regard to the selection of an officer already high in office, and the consequent necessity of attaching a high salary to the office, I believe I may take the liberty to mention that it was first offered to another who held the same office as myself, that it was then offered to a junior, then on a salary of 1160 Rupees, and in both instances declined; and I certainly should not have sought the office for the sake of the additional salary attached to it.

I may mention, for I was not selected till two others had refused, that the orders of the Honorable Court were, I was informed, that the best qualified person should be selected, without any reference to other considerations. My standing and long judicial service would have justified my expectation of a seat on the Sudder Bench, now occupied by a junior, had I not been placed in my present appointment; and, considering the position I hold as an adviser of Government in all matters connected with the enforcing of Judicial sentences, and the bearing this question has

on that of Criminal jurisprudence, and placed as I am in a position to check officers in charge of jails, most of whom are Sessions Judges, in matters connected with those jails, and as the referee in all questions that may arise between officers in charge, medical officers, often of long standing, Magistrates, Executive Officers and others, and as the immediate channel of communication in all such matters with the Government, I do not think it could have attached a less salary to the office, than that that has been determined on. I see Mr. Williams has alluded to this matter of remuneration in his return to you, and as you desire from me a similar report, I have also referred to it.

My duties include the whole control and superintendence of the prisons formerly vested in the Foujdarree Adawlut and the several Sessions Judges; also the whole control, under Government, of the department, the buildings, accounts &c. It also of necessity devolves on me to suggest to Government all improvements and alterations in the system of prison discipline. I have to visit every Jail in the country, which is just double the area of the North West Provinces.

The rules laid down for the guidance of the Inspector North West Provinces, were those first communicated to me.

I have not yet decided on the establishment I require. Hitherto I have limited myself to one Head Clerk and Accountant, one Writer, one Writer and draftsman and two peons, availing myself, when visiting the Jail stations, of the services of some of the establishment of the Courts or Cutcherries, or engaging some hanger-on of these offices, to whom I may give a few rupees for the work he does. I have, however, had so much to pay for printing, that I now intend having a press of my own, and shall probably engage a person capable of working it and of doing writer's work also, and two peons capable of doing pressman's work &c. I have hitherto been able to accommodate my establishment in my house with office room, and have consequently made no charge for office rent; and not having any office, I have of course been able to dispense with an office keeper, office peons &c. I should mention that I have often occasion to engage a peon or two temporarily, when absent from my temporary head quarters, but that I have not kept any memorandum of charges on this account, or for Writers temporarily employed. It must be borne in mind, as you are doubtless aware, that the wages paid to peons and servants generally, are very much higher in Madras than in Bengal; indeed the price of food, and consequently of hire compels this.

I will, with the sanction of Government, send you a copy of my report as soon as it is printed; this will clearly shew the nature of my duties and my position.

I have for twenty years been in the judicial line, and in immediate charge of jails, and was for some years Sessions Judge of Guntoor, when I was invited to take my present appointment.

My office having been established only in March 1855, I cannot of course do more than refer you to my report to shew what *will* be, instead of what has been done.

I accepted my present travelling allowance of 250 Rupees, in preference to the offer of Government to pay all my expenses, though at the time I made my application these last very far exceeded the allowance.

My clerks and draftsman receive, as in Bengal, travelling allowance of 4 annas a mile, but no batta. I find it occasions so much delay to move them, that I prefer leaving them at some central point, and making my tours thence as rapidly as I can, thus avoiding the expense of taking them with me. The peons' pay may appear high, but it was with difficulty I could, on leaving Madras, get peons at all; not one with any character would come for 7 Rupees; I began therefore by giving 7, and 2 Rupees batta while absent, but subsequently made it 9 all the year round, and I have hitherto kept only two.

I may mention that I took the Bengal rules in regard to travelling allowance for my guide at first, though I have since given a consolidated salary to my establishment.

OOTACAMUND,
Office of Inspector of Prisons,
2nd July 1856.
Despatched 3rd.

I have the honor to be,
SIR,
Your most obedient Servant,
J. ROHDE,
Inspector of Prisons.

APPENDIX No. 551

Inspector of Prisons, Bombay.

No. 1016 *of* 1856.

From

The Inspector General of Prisons, Bombay.

To

HENRY RICKETTS, Esquire,
Commissioner for the revision of Civil Salaries and Establishments,
Calcutta.

Sir,

I have the honor to acknowledge your letter No. 598 of the 21st ultimo; I had received from Government your previous communication; I regret that my reply has been delayed by press of business; I now enclose a Statement, showing the number of Prisoners and the cost of Establishments, in the several Prisons of this Presidency.

2. The Jail Establishments in this Presidency have not yet been revised, or settled upon any uniform plan. I reported the fact to Government, and have obtained sanction for a revision.

3. The views, however, of the Session Judges, under whom (as you are aware) rests the immediate charge of the Prisons in this Presidency, differ considerably, both as regards the requirements of the Prisons, and the number of Peons who can be permanently transferred from the Adawlut Establishments, and some further information is requisite.

4. I hope, however, to submit a plan to Government in the course of next month, and will forward copy for your information.

5. In the present return you will observe great apparent discrepancies in the relative cost of Establishments. Hitherto the Session Judges have allotted a certain number of the Adawlut Peons for duty at the Jails, and it is difficult to say now, what really are the Jail Establishments.

6. In some Jails where a sufficient number were not from any cause available, additional guards have been obtained from the Police and the Magistrates.

7. In some Jails as at Tannah, Dharwar and Ahmedabad, where attention has been paid to Manufactures &c. there are workshed overseers, carpenters, blacksmiths &c. while in other Jails, as at Sholapoor, the buildings (now under alteration) did not admit of indoor labour. The Establishment is exceedingly defective so much so, that it has been absolutely necessary to obtain some additional guards.

8. The pay of the Jailors is also, every where in the Mofussil, inadequate to that responsible office. The fact has been reported to Government, and sanction given for revision.

9. Again, in the Presidency Prisons, more particularly the House of correction, the Establishment is extravagant. This has also been reported, and will I trust be corrected.

10. The most remarkable anomaly is found in the Sattara Jail. The building is in the same state as when received from the Raja, on the lapse of the state. It is very insecure, and an extravagant number of guards were maintained. The number has been reduced, and under date the 12th November 1855, I requested the Magistrate to order that no casualties should be filled up;

but still the number is excessive, as reported to Government, No. 521 of the 5th December last.

11. A new Prison has been sanctioned and commenced. In the mean time every means will be taken to reduce the surplus number; but the insecurity of the present building renders any immediate or considerable reduction of the guards impossible.

12. In fixing the future Establishments care will be taken, consistent with local necessities, to preserve due relation between the number of prisoners, and cost of Establishments.

13. The actual distance to be travelled over from Poonah, my head quarters,

To visit the Guzerat Jails and returns, is eight hundred and sixty six miles.	866
To visit Nuggur, Dhoolia and Nassick, is four hundred and fifty one miles..	451
To visit Dharwar, proceeding by the coast to Rutnagerry, and returning by Sattara, is seven hundred and forty eight miles.	748
To Sholapoor, to go and return, is three hundred and ten miles.	310
	2,375

Tannah and the Presidency Jails are visited in passing and repassing.

In the performance of this duty, as well as in my office of Commissioner of Police, it is necessary for me to travel over the whole Presidency. As opportunity offered, or for special reasons, some of the places named have been visited three and four times, during my tenure of office.

I have the honor to be,
SIR,
Your most obedient Servant,

A. H. BOTTINGTON,
Inspector General of Prisons,
BOMBAY PRESIDENCY.

POONAH,
8th November, 1856.

Appendix No. 551
Inspector of Prisons Bombay

STATEMENT shewing the number of Prisoners and the Cost of Establishments in the several Prisons in the Bombay Presidency.

No.		Average number of Prisoners in ten years.	Number of Prisoners on the latest date for which accounts are immediately available.	*Actual present cost of Jail Establishments per annum.* Cost of Jail Establishment.			Cost of Jail Guards, &c.			Total Cost.			Numerical strength of Military Guards.	Distance to be travelled in order to visit each Jail.	REMARKS.
														Miles from Bombay.	
1	Bombay County Jail *	....	....	....	..	..	....	..	..	....	..	..	..	..	* This Prison is under the control of the Judges of the Supreme Court. A separate return of Cost will be forwarded shortly.
2	„ House of Correction	....	209	28,835	10	0	....	..	..	28,835	10	0	..	In Bombay.	There is also a Police Guard and a Military Guard.
3	Dharwar	661	637	1,320	0	0	6,690	0	0	8,010	0	0	48	365	There is a large permanent guard to escort Prisoners on outdoor labour.
4	Tanna	922	518	2,586	0	0	1,326	0	0	3,912	0	0	84	23	The escorts for outdoor labor furnished by the Police and from the Adawlut Establishment, the cost of which is not here shown.
5	Ahmedabad	688	486	2,496	0	0	3,996	0	0	6,492	0	0	42	349	
6	Dhoolia	383	353	1,188	0	0	2,787	0	0	3,975	0	0	45	209	
7	Poona	513	328	1,677	0	0	1,629	0	0	3,306	0	0	36	92	
8	Ahmednuggur	438	328	1,170	0	0	537	0	0	1,707	0	0	..	161	Police and Adawlut Peons received in aid of this Establishment.
9	Sholapoor	169	201	750	0	0	2,436	0	0	3,186	0	0	27	247	No worksheds or indoor supervision of labor provided yet.
10	Sattara	339	196	1,128	0	0	11,106	0	0	12,234	0	0	43	116	Excessive cost of guard reported to Government, occasioned in a great measure by the insecurity of the present Building, will be reduced to the average on the completion of the new Jail.
11	Rutnagiri	293	192	1,152	0	0	816	0	0	1,968	0	0	33	190	Police aid required.
12	Surat	217	164	1,191	0	0	1,302	0	0	2,493	0	0	35	191	
13	Broach	158	83	522	0	0	1,173	0	0	1,695	0	0	37	231	
14	Khaira	129	77	450	0	0	492	0	0	942	0	0	None	329	Police aid required.
15	Mahableshwur	62	76	372	0	0	....	..	..	372	0	0	7	104	There is a Military guard at the Jail and no additional guard is necessary; the Prisoners are under a relaxed system of discipline, and allowed their liberty during the day.
16	Naseik	56	26	681	0	0	....	..	..	681	0	0	None	112	
			3,874							59,808	10	0		2,719	

Poona, 8th *November*, 1856.

Despatched from Bombay, 10th *November*.

A. H. BOTTINGTON,
Inspector General of Prisons.

1855

APPENDIX No. 552

Remembrancer of Legal Affairs, Bengal.

Extract of a letter addressed to the Secretary to the Government of India in the Home Department dated 17th April 1855.

No. 539

From

J. P. GRANT, Esquire,

Secretary to the Government of Bengal.

GENERAL.

11. His Honor having proposed the reduction of the salary of an office which he regards as now overpaid with reference to its duties, wishes to take this opportinity of recommending that the Government may be empowered to raise, when it may think proper, to its full standard, the salary of another office, which he considers as being much underpaid at its present lower standard with reference to its duties. The office to which His Honor alludes is that of the Superintendent and Remembrancer of Legal Affairs.

12. In the letter of the Government of India, dated the 22d of June 1844, 2,000 Rupees a month was distinctly sanctioned as the salary of this Office. But as it happened that a young Officer was the first person appointed to the situation, the salary was fixed on the lower scale of Rupees 1,500 a month for a time, to be increased when the incumbent should be thought entitled to draw the full allowance. The Honorable Court, however, in sanctioning the revival of the appointment, directed that the salary should not be raised to the higher standard without their previous sanction. There are few offices, the Deputy Governor thinks, which it is more important to have well filled, with advertence to the pecuniary interests of Government, and in some respects to the character of the administration, than this. It requires talent and a certain standing and degree of experience. It is also very desirable that it should not too frequently change hands. It happens, however, that the lower scale of salary is fixed precisely at the point where it ensures the shortest possible retention of an incumbent. There are only ten 1,500 rupees appointments in the service; so that if a Remembrancer of Legal Affairs has nearly risen to the standing that will entitle him to expect an appointment of that rank, when nominated to the Office, his cotemporaries soon rise beyond him; after which it would be unjust, by retaining him in the same Office, to deprive him of his fair promotion, because he had been selected for this very notable employment. Since the revival of the Office six years ago, it has passed into four hands. The power of raising the salary to Rupees 2,000, when Government should think it expedient to do so, would add thirty more to the number of appointments above which the incumbent's cotemporaries must rise before they can pass him. It is obvious too that the proposed change would increase largely the field of selection. And considering merely the nature of the duties of this Office, His Honor thinks it far from overpaid at Rupees 2,000 a month.

13. Having in view the public interests only, the Deputy Governor strongly recommends that this authority be given him; or, if that cannot be, that the Honorable Court be applied to on the subject. The question must rest upon its own merits; but the Deputy Governor hopes that the reductions proposed in the first part of this letter will be accepted as proving that this recommendation is not made in disregard of a necessary and just economy.

I have the honor to be &c.

(Signed) J. P. GRANT,

Secretary to the Government of Bengal.

(True Copy)

W. GREY,

Secretary to the Government of Bengal.

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APPENDIX No. 553

Remembrancer of Legal Affairs, Bengal.

RESOLUTION OF THE PRESIDENCY COURT OF NIZAMUT ADAWLUT,

Under Date, the 31*st May* 1852.

PRESENT.

SIR R. BARLOW, BART.
W. B. JACKSON, AND
J. R. COLVIN, ESQUIRES, *Judges and*
A. J. M. MILLS, AND
R. H. MYTTON, ESQUIRES, *Officiating Judges.*

The Court promulgate the following rules approved of by the Government, as signified by Officiating Under Secretary Young's letter No. 1092, of the 20th instant, relative to the appearance of the Remembrancer of Legal affairs in the capacity of Government Advocate, or his Deputies in the Court, and his relation to the Superintendent of Police and to the Magistrates.

Rules regarding the appearance of the Government Advocate or his Deputies in Court.

1. In appealed or referred cases, the Government Advocate shall be competent to appear, and he should ordinarily appear by himself; or, at his discretion, either by the Senior or Junior Government Pleader, on behalf of the Government, in all cases in which Government has been the prosecutor, and in which a Pleader is employed for the prisoner. And it shall be further competent to him to make appearance, in like manner, in any appealed or referred case instituted on the prosecution of Government, in which, although no Pleader may have been engaged for a prisoner, it may seem to him, acting in communication with the Superintendent of Police, or directly with the Magistrates, when there may not be time for a reference to the Superintendent of Police, important that there should be an appearance by a Pleader on behalf of the Government.

2. Pleaders appearing for a prisoner in *appealed cases*, shall be bound to give in to the Register's office at a time not less than one week before the date fixed by the Court for the public hearing of the appeal, a note under distinct heads, of the pleas of Fact and of Law on which he rests his appeal, and the Register shall cause such note to be transferred to the Senior Government Pleader. But it shall be competent to such Pleader for the prisoner, on leave of the Court, to put in, at the hearing of the appeal, any further pleas of Law which he may desire to argue. The Register shall also intimate to the Senior Government Pleader when a Pleader may be appointed on behalf of a prisoner in a *referred* case.

3. The Government Advocate shall, through the Senior Government Pleader, give immediate notice to the office of the Register, when he may intend to appear in a case in which no Pleader has been engaged for a prisoner; and the Register shall thereupon intimate the same to the Judge, to whom the case has been submitted, and the Judge shall fix such date as he may think suitable for the public hearing and decision of the case.

4. It shall also be competent to the Court to call for the appearance of the Government Advocate, either by himself or by the Government Pleaders, as he may determine, in any case in which, from its special character, they may consider that such an appearance would be manifestly conducive to the better administration of justice.

5. In cases, whether referred or appealed, in which there may be an appearance for the Government, as above provided, without the previous employment of a Pleader on behalf of the prisoners charged or convicted, the Court shall be competent to nominate a Pleader to appear on behalf of the prisoner, and to assign to him such remuneration as it may deem suitable, not exceeding Rupees 200 in any case; such amount to be paid on a contingent Bill under the countersignature of the Register of the Court.

6. The Superintendent of Police shall give such directions to the magistrates, as he may deem necessary, in order to their apprizing the Government Advocate of the cases, whether re-

ferred or appealed, in which it may be thought by them of importance that there should be an appearance before the Nizumut Adawlut on behalf of the Government, and he will also, in the discretion which belongs to his office, communicate directly with the Government Advocate regarding such cases as he may see fit.

7. The Government Advocate shall, after any communication with the magistrates which he may find necessary, correspond with the Superintendent of Police on the subject of any case in which, whether as Pleader he shall, or shall not, have been engaged on the part of a prisoner. It may appear to him unadvisable that he should make appearance in Court, whether by himself or his Deputies, on behalf of Government. If after such correspondence with the Superintendent of Police, an appearance shall appear inexpedient to the Government Advocate, he may, in his discretion, refrain from appearing, and the case shall then be left to be disposed of by the Court upon consideration of the record, after hearing the Pleader for the prisoner, in any case in which such Pleader may have been employed.

8. The Government Advocate shall have the power of calling for explanatory information from the magistrates in regard to any case in which, under the preceding rules, it may become his duty to appear, or to consider the propriety of appearing in Court. And he may also, where necessary, solicit information on any point of importance connected with the course and circumstances of a trial, from the Session Judges.

ORDERED

That a copy of this Resolution be laid before each Judge and the Register, and that an Urdu translation of it be made for the Native Deputy Register and the several Peishkars; and that a copy of the Resolution and of the translation be hung up in the Court House for public information, and that copies also be sent for publication in the Bengallee, Ooreah and Urdu Gazettes.

(Signed) B. J. COLVIN,
Register.

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No. 1090.

From

The Officiating Under Secretary to the Government of Bengal,

To

The Superintendent and Remembrancer of Legal Affairs.

Dated, Fort William, *the 20th May* 1852.

JUDICIAL.

Sir,

With reference to the 2nd Paragraph of your letter No. 342, dated the 28th Ultimo, to the address of the Register of the Nizamut Adawlut, of which a copy has been received from that functionary, I am directed by the Most Noble the Governor of Bengal to inform you that His Lordship has been pleased to approve of the Rule therein suggested by you; viz.

RULE.

The Remembrancer of Legal Affairs may furnish Magistrates, when acting either administratively or judicially, with his opinion on points of law arising before them, which they may submit to him.

2. A copy of this letter has been forwarded to the Superintendent of Police, Lower Provinces.

I have, &c,

(Signed) W. GORDON YOUNG,
Officiating Under Secretary to the Government of Bengal.

(True Copies)
T. BEAUFORT,
Officiating Superintendent and Remembrancer of Legal Affairs.

APPENDIX No. 555

Remembrancer of Legal Affairs, Bengal.

No. 736.

From

The Secretary to the Government of Bengal,

To

The Secretary to the Government of India,

HOME DEPARTMENT.

Dated, FORT WILLIAM, *the 30th April,* 1853.

JUDICIAL.

SIR,

A temporary vacancy having occurred in the Office of Register of the Sudder Court by the deputation of Mr. B. J. Colvin to act as Revenue Commissioner of the Patna Division, and there being every probability that this temporary vacancy would at no distant time become permanent, it devolved upon the Most Noble the Governor of Bengal to select for the place a competent officer, who should be eventually confirmed in it.

2. It appeared to His Lordship that there was no officer in the Civil Service under this Government, who, by standing in the service, by special qualifications, and by distinguished success in the performance, during the last four years, of the duties of Superintendent and Remembrancer of Legal Affairs, was so well entitled to be selected as Mr. C. B. Trevor; and His Lordship would undoubtedly have appointed him to the vacancy but for the reasons now to be mentioned.

3. The importance of the duties originally assigned to the Legal Remembrancer, and the palpable inadequacy of the salary attached to the office as then constituted, were fully dwelt on in the letter from this Government No. 539, dated the 17th April 1850. Occasion was then taken of a reduction of Rupees 1,000 a month in the fixed salaries of Covenanted officers in another branch of the service, to urge upon the Government of India the extreme importance of raising the salary of the Legal Remembrancer from Rupees 1,500 to Rupees 2,000 a month. The Government of India was "most fully impressed with the necessity of raising that impor-"tant office to a higher position in the Civil Service than, from the circumstance of its comparative-"ly low salary, it at present holds," and strongly recommended the proposed increase to the Honorable Court of Directors. But the Home authorities, viewing the increase on financial grounds alone, and with exclusive reference to temporary financial circumstances, would only so far accede to the recommendation of the Government of India as to raise the salary of the office from Rupees 1,500 to Rupees 1,700 a month.

4. Since that time, not only has Mr. Trevor continued to discharge with high efficiency the duties properly belonging to the Office of Legal Remembrancer, but there have been superadded to them others of perhaps a still more important and responsible character. He has been made Government Advocate on the Criminal side of the Sudder Court, and in that capacity has not only to appear before the Court, either in person or by deputy, in all heinous cases, and all other cases in which he may think it desirable that the Government should prosecute, but to communicate with the Superintendents of Police and the Magistrates throughout the Lower Provinces, and to determine the course to be taken in every case referred to the Sudder Court, subject only to the order of Government.

5. It is conclusively manifest that the right performance of duties such as these requires a higher order of intellect, and a larger experience in the conduct of judicial cases, than can be

permanently secured by a salary of Rupees 1,700, or even Rupees 2,000 a month. Of Mr. Trevor's contemporaries in the service, every one is more highly remunerated than he is, and even many of his juniors* fill the ordinary office of Collector of Revenue, and are in the enjoyment of higher salaries than he has yet attained, notwithstanding his acknowledged merits. It was therefore out of the question that Mr. Trevor should be made to suffer any longer for the convenience of the public service; and it followed, in His Lordship's judgment, either that he must be promoted to the Registership, or that his emoluments must be raised to an equality with those he would receive from that office. If the former alternative had been taken, Mr. Trevor would have been obliged to relinquish functions of a highly important nature, which he had proved himself peculiarly well fitted to discharge, for duties of a less responsible and difficult character; and the former must have been entrusted to a comparatively young servant of untried fitness and limited experience.

6. Under these circumstances, His Lordship resolved to continue Mr. Trevor in the combined office of Legal Remembrancer and Government Advocate, allowing him, from the date on which Mr. Colvin is relieved, the same deputation allowance that he would have drawn if he had been appointed to act as Register of the Sudder Court. And in order to avoid any increase of expense without the sanction of higher authority, His Lordship appointed another officer to act as Register, on a deputation allowance equal only to that which he would have received if he had been appointed to act in succession to Mr. Trevor as Legal Remembrancer.

7. But this is only a temporary arrangement preparatory to the permanent one which His Lordship proposes to make on the occurrence of a vacancy in the office of Register, and to which he now desires the sanction of the Government of India, and, if it be thought necessary, of the Honorable Court of Directors. His Lordship is fully convinced that it is essential to the satisfactory administration of Criminal Justice, that the salary of the Legal Remembrancer and Government Advocate should be raised to Rupees 30,000 a year, that is, to an equality with the present salary of the Register, with that of the Secretary to the Board of Revenue, and with that of a Civil and Sessions Judge. It will be impossible, His Lordship thinks, on any other condition, to secure the continuous services of a capable officer of matured experience and of sufficient standing to command the respect of the large body of Mofussil officers whose proceedings pass under his review, and who are guided by his instructions. On the other hand, since it has become the rule for the Judges of the Sudder Court to record their decisions in English, and no longer to give extra judicial opinions on proposed cases, the duties of the Register have declined in importance, and the performance of them will, in His Lordship's opinion, be adequately remunerated by a salary of Rupees 24,000 a year.

8. His Lordship therefore asks the Government of India to sanction no greater expense than the Deputy Governor asked for in 1850, and which the Government of India then thought necessary. But instead of giving the Register Rupees 30,000, and the Remembrancer Rupees 24,000 a year, His Lordship proposes to reverse the case, and assign the higher salary to the latter office. His Lordship considers this arrangement absolutely essential to the efficiency of the public service in this department. The financial considerations which led to a partial refusal of the former application, no longer exist, and on every other consideration, the change is imperatively required.

9. During the course of his administration, the Governor of Bengal has steadily applied himself to the reduction of salaries and offices wherever it has appeared that the former were disproportioned to the duties attached to them, or that the latter could be dispensed with. In addition to the saving reported in 1850, His Lordship can point to the reduction in the salaries of the Salt Agents of Hidgellee and Chittagong, and of the Benares Opium Agent, to the aboli-

* Mr. Leycester.	Mr. Ward.	Mr. Loch.
Mr. Wilkins.	Mr. Lautour.	Mr. Martin.
Mr. Drummond.	Mr. Chapman.	Mr. Shawe.

tion of a Member of the late Board of Customs, Salt and Opium, and of an Abkarree Commissionership. The abolition of the remaining Abkarree Commissionership, and of at least one office in the Custom House is also in contemplation. But true public economy consists no less in adequately remunerating offices of special importance, than in abolishing those that are useless; and his Lordship is therefore persuaded that the proposal which he has now the honor to make, will meet with the cordial approval and sanction of the Government of India.

I have, &c.,
(Signed) CECIL BEADON,
Secretary to the Government of Bengal.

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No. 1395.

EXTRACT FROM THE PROCEEDINGS OF THE MOST NOBLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL, IN THE FINANCIAL DEPARTMENT, UNDER DATE THE 23RD MAY 1853.

Read an endorsement from the Home Department No. 432, dated the 4th Instant, forwarding for consideration and orders, a letter from the Government of Bengal, No. 736, of the 30th ultimo, submitting a proposition for the reduction of the Salary of the Register of the Sudder Court from 2,500 to 2,000 rupees per month, and the raising of that of the Superintendent and Remembrancer of Legal Affairs and Government Advocate, from 1,700 to 2,500 rupees per month.

ORDER.

Ordered that the Home Department be advised, for the information of the Government of Bengal, that the above proposition has been referred to the Honorable the Court of Directors for their consideration and orders, with an expression of the full concurrence of this Government in the views of, and the reasons urged by, the Government of Bengal.

Ordered also that the papers noted in the margin* be returned.

(A true Extract)
(Signed) C. ALLEN,
Secretary to the Government of India.

* Copy of a letter from Government of Bengal to Home Department, No. 736, dated the 30th April 1853.
Home Consultation 26th April 1850, Nos. 1 and 2.
Do. 24th January 1851, Nos. 3 and 4.

No 558.

Copy of the foregoing forwarded to the Government of Bengal with reference to Mr. Secretary Beadon's letter No. 736, dated the 30th April last.

By Order of the Governor General in Council.

HOME DEPARTMENT,
The 2nd June 1853.

(Signed) E. THOMAS,
Officiating Under Secretary to the Government of India.

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APPENDIX No. 557 and 558

Remembrancer of Legal Affairs, Bengal.

No. 1157.

From

The Under Secretary to the Government of Bengal,

To

The Officiating Under Secretary to the Government of India,
HOME DEPARTMENT.

Dated, FORT WILLIAM, *the* 25*th June* 1853.

JUDICIAL.

SIR,

With reference to the correspondence noted on the margin,* I am directed by the Most Noble the Governor of Bengal to state for the information of the Government of India, that the Office of Register of the Sudder Court having now become vacant, His Lordship has this day appointed a successor to Mr. Colvin, on a salary of Rupees 20,400, viz., that at present attached to the Office of Superintendent and Remembrancer of Legal Affairs, and has assigned to Mr. C. B. Trevor, Rupees 30,000 per annum, the salary hitherto drawn by the Register of the Sudder Court.

2. To the above arrangement the approval of the Government of India is solicited.

I have, &c.,
(Signed) W. GORDON YOUNG,
Under Secretary to the Government of Bengal.

558.

No. 1914.

EXTRACT FROM THE PROCEEDINGS OF THE MOST NOBLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL, IN THE FINANCIAL DEPARTMENT, UNDER DATE THE 22ND JULY 1853.

Read an Endorsement from the Home Department, No. 662, dated the 7th Instant, forwarding for consideration and orders, with reference to an Extract from this Department, No. 1395 of the 23rd May last, a letter from the Government of Bengal, No. 1157, dated the 25th Ultimo, soliciting sanction to the reduction of the salary of the Register of the Sudder Court, and the raising of the Superintendent and Remembrancer of Legal Affairs.

RESOLUTION.

The Most Noble the Governor General in Council is pleased to sanction the reduction of the salary of the Register of the Sudder Court from 2,500, to 1,700 Rupees per mensem, and the raising of the pay of the Superintendent and Remembrancer of Legal Affairs from 1,700 to 2,500 Rupees per mensem; the arrangement, which is unattended with any increase of charge, being subject to the confirmation of the Honorable the Court of Directors.

ORDER.

Ordered that a copy of the foregoing Resolution be sent to the Home Department for communication to the Government of Bengal, and the paper noted in the margin* returned.

*Copy of a letter from the Government of Bengal to the Home Department, No. 1157, dated the 25th June 1853.

APPENDIX No. 558 and 559

Remembrancer of Legal Affairs, Bengal.

Ordered also, that copies of the Resolution be sent to the Civil Auditor and the Sub Treasurer.

(A true Extract)
(Signed) C. ALLEN,
Secretary to the Government of India.

No. 711.

Copy of the foregoing forwarded to the Government of Bengal, with reference to Mr. Officiating Under Secretary Young's letter No. 1157, dated the 25th Ultimo.

By order of the Governor General in Council.

HOME DEPARTMENT, *the 26th July* 1853.

(Signed) G. COWPER,
Officiating Under Secretary to the Government of India.

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FINANCIAL DEPARTMENT.

No. 32 of 1853.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

Paragraph 1. In your separate Revenue Despatch, dated the 26th April 1850, you submitted for our consideration, the position of the Superintendent and Remembrancer of Legal Affairs, and recommended that the salary of that office should be raised from Rupees 1,500 to Rupees 2,000 per month. We informed you, in reply, that we could only consent, at that time, so far to accede to your recommendation as to authorize the salary being raised to Rupees 1,700 per month.

2. You have now again referred the subject to us in your Despatch in this Department, dated the 23rd May 1853, No. 31; and you have also requested our attention to the important duties which have lately been superadded to those already performed by the Legal Remembrancer in consequence of his appointment to be Government Advocate on the Criminal side of the Sudder Court; an office involving considerable labor and responsibility. In consideration of this circumstance, we are strongly recommended by your Government, and by the Government of Bengal, to fix the salary of the Office of Legal Remembrancer and Government Advocate at Rupees 2,500 per month, or Rupees 30,000 per annum.

Extract Letter to Secretary to Government of Bengal, dated 30th April 1853.

"In that capacity he has not "only to appear before the Court, "either in person or by Deputy, "in all heinous cases, and all "other cases in which he may "think it desirable that the Go-"vernment should prosecute, but "to communicate with the Su-"perintendents of Police and the "Magistrates throughout the "Lower Provinces, and to deter-"mine the course to be taken in "every case referred to the Sud-"der Court, subject only to the "orders of Government."

3. With a view of partly covering the additional charge involved in the raising of this salary, it is proposed to reduce from Rupees 2,500 to Rupees 2,000 per month the salary of the office of Register of the Sudder Court, which is expected soon to be permanently vacated. This reduction is recommended on the ground that the duties of the Register have declined in importance "since it has become the rule for the

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"Judges of the Sudder Court to record their decisions in English, and no longer to give extra "Judicial opinions on proposed cases."

4. In considering the salary which should be fixed for the Superintendent and Remembrancer of Legal Affairs, we do not desire to associate with it the question of the salary of the Register of the Sudder Court, although we concur in the propriety of the reduction of that salary for the reasons stated by the Government of Bengal.

5. We do not feel at liberty to increase the salary of the Office of Legal Remembrancer as it was fixed by us in October 1850; but adverting to the additional duties which devolve upon Mr. Trevor, in consequence of his appointment to the responsible Office of Government Advocate, we have resolved to grant to him an additional salary of Rupees 500 per month on that account.

6. It follows from the above decision, that the situation of Superintendent and Remembrancer of Legal Affairs and Government Advocate, when held by the same person, will be represented by a salary of Rupees 2,200 per month; but that if at any time the Office of Government Advocate be dissociated from that of Legal Remembrancer, the occupant of the latter will be entitled to draw only Rupees 1,700 per month.

We are &c.,
(Signed) RUSSELL ELLICE,
(,,) J. OLIPHANT,
AND 11 OTHER DIRECTORS.

LONDON,
The 14th September, 1853.

No. 1128.

Copy of the foregoing Despatch from Court forwarded to the Government of Bengal, in continuation of Home Extract, dated 22nd July last, No. 1914.

By Order of the Governor General in Council,
(Signed) GEORGE COWPER,
Under Secretary to the Government of India.

HOME DEPARTMENT,
The 16th November, 1853.

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No. 2321.

From

The Secretary to the Government of Bengal,

To

The Officiating Secretary to the Government of India,
HOME DEPARTMENT.

Dated, FORT WILLIAM, *the 8th December* 1853.

JUDICIAL.

SIR,

By direction of the Most Noble the Governor of Bengal, I have the honor to acknowledge the receipt of your letter No. 1128, dated the 16th Ultimo, forwarding copy of a despatch from the Honorable Court of Directors regarding the Salaries of the Register of the Sudder Court, and of the Legal Remembrancer and Government Advocate.

APPENDIX No. 560

Remembrancer of Legal Affairs, Bengal.

2. His Lordship has desired me briefly to recapitulate the substance of the correspondence on this subject, and to offer some further observations.

3. Previous to April this year, the salary of the Legal Remembrancer was Rupees 1,700 a month, and the salary of the Register of the Sudder Court, Rupees 2,500.

4. On a former occasion, the Court of Directors had been urged to raise the salary of the Legal Remembrancer to Rupees 2,000 a month, the amount originally assigned to the Office; but the Honorable Court had refused, on financial grounds.

5. Last April, His Lordship renewed the application; and, because the Legal Remembrancer had been intermediately saddled with the duties of Government Advocate, strongly recommended that the salary of the combined Office should be raised to Rupees 2,500, (equivalent to a Judgeship,) the salary of the Register being reduced to Rupees 2,000.

6. At the same time, in anticipation of the sanction of the Honorable Court, and with the concurrence of the Government of India, His Lordship appointed Mr. Trevor Legal Remembrancer and Government Advocate, on Rupees 2,500, and Mr. Buckland, Register, on Rupees 1,700. These two sums made up the whole amount of Rupees 4,200 previously sanctioned for the two offices; and therefore the addition of Rupees 300 to Mr. Buckland's salary was left to depend entirely on the orders of the Honorable Court.

7. The Honorable Court now so far accede to His Lordship's recommendation as to add Rupees 500 to the former salary of the Legal Remembrancer, making the salary of the combined office Rupees 2,200, and to reduce the Register's salary by the same amount, making it Rupees 2,000.

8. But they decline to give anything more, or to raise the salary of the Legal Remembrancer and Government Advocate to Rupees 2,500.

9. If these orders are at once carried out, Mr. Buckland's salary will be raised from Rupees 1,700 to Rupees 2,000, and Mr. Trevor's will be reduced from Rupees 2,500 to Rupees 2,200. Mr. Trevor will immediately seek to be relieved of his duties, and to be employed, like his contemporaries in a Mofussil Judgeship.

10. There will at present be great difficulty in finding a fit successor.

11. The question therefore arises, whether it would not be better, as the Honorable Court decline to augment the aggregate expense, that the salary of Register should be fixed at Rupees 1,700 a month permanently, and that, with that sacrifice, the very important office of Legal Remembrancer and Government Advocate should be maintained at Rupees 2,500 a month, the amount which his Lordship, after careful deliberation, considered no more than adequate to its high and arduous duties.

12. Or at all events, having regard to the very peculiar fitness of Mr. Trevor, and to the reasonable expectation under which he was raised to the full salary of Rupees 2,500 a month, it would not be proper to allow the present arrangement to stand during his incumbency, and not raise the Register's salary from Rupees 1,700 to Rupees 2,000 until a vacancy occurs in the other office.

13. The Governor of Bengal desires me to request that the Honorable Court may be again addressed on this subject. A competent officer, His Lordship observes, cannot be counted upon for this, one of the most important offices under the Government, for less than 2,500 Rupees a month. If the Honorable Court will not accept His Lordship's former proposals, His Lordship desires respectfully to remonstrate against lowering the salary of the Legal Remembrancer and Government Advocate, and to request that the Register's salary may be fixed at 1,700 Rupees a month.

I have, &c.

(Signed) C. BEADON,

Secretary to the Government of Bengal.

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APPENDIX No. 561 and 562

Remembrancer of Legal Affairs, Bengal.

No. 57.

From

G. COWPER, Esquire,
Officiating Secretary to the Government of India,

To

C. BEADON, Esquire,
Secretary to the Government of Bengal.
Dated the 16*th January* 1854.

HOME DEPARTMENT.
JUDICIAL.

Sir,

I am directed by the Honorable the President in Council to state for the information of the Government of Bengal, that your letter No. 2321, dated 8th Ultimo, regarding the salary of the Legal Remembrancer and Government Advocate, will be forwarded for the consideration of the Honorable the Court of Directors by the Next Mail.

I have, &c.
(Signed) G. COWPER,
Officiating Secretary to the Government of India.

Council Chamber,
The 16*th January* 1854.

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No. 2998.

Extract from the proceedings of the Most Noble the Governor General of India in Council, in the Financial Department, under date the 18th August 1854.

Read a Despatch from the Honorable the Court of Directors, No. 28 of 1854, dated the 28th June.

Letter from, in Judicial Department, dated 16*th January* 1854, *No.* 3.

Forward for consideration and orders, a Letter from the Government of Bengal, on the subject of the Court's late orders regarding the salaries of the Register of the Calcutta Sudder Court, and of the Legal Remembrancer, and Government Advocate.

48. As we are informed by the Government of Bengal, that a competent officer cannot be counted upon for the situation of Legal Remembrancer and Government Advocate, for a less salary than Rupees 2,500 per month, we have resolved to modify our orders of the 14th September 1853, and to permit that salary to be drawn by Mr. Trevor, the present occupant of the combined office.

49. Mr. Buckland having been appointed Register of the Sudder Court, with a salary of Rupees 1,700 per month, we desire that his salary may be considered fixed at that amount.

Ordered, that a copy of these Paragraphs, be sent to the Home (Judicial) Department for information, and such further orders as may be necessary with reference to the Despatch from that Department to the address of the Honorable Court, No. 3, dated the 16th January last.

(A True Extract)
(Signed) C. HUGH LUSHINGTON,
Officiating Secretary to the Government of India.

APPENDIX No. 562

Remembrancer of Legal Affairs, Bengal.

No. 832.

Copy of the foregoing forwarded to the Secretary to the Government of Bengal with reference to letter, dated 16th January last, No. 57.

By Order of the Governor General in Council,

HOME DEPARTMENT,
The 25th August 1854.

(Signed) GEORGE COWPER,
Under Secretary to the Government of India.

(True Copies)

C. J. BUCKLAND,
Junior Secretary to the Government of Bengal.

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APPENDIX No. 563

Remembrancer of Legal Affairs, Calcutta.

	1851-52.		1852-53.		1853-54.		1854-55.		1855-56.	
	No. of Cases.	Aggregate Value.	No. of Cases.	Aggregate Value.	No. of Cases.	Aggregate Value.	No. of Cases.	Aggregate Value.	No. of Cases.	Aggregate Value.
Appeals	98	14,84,641 11 0	115	2,10,756 3 0	116	13,57,451 4 0	149	8,53,150 14 0	93	2,64,928 3 0
Original Suits	647	32,64,838 6 0	439	17,87,427 7 0	239	6,28,043 14 0	231	32,84,187 6 0	329	4,77,005 5 0
Total	745	47,49,480 1 0	554	19,98,183 10 0	355	19,85,495 2 0	380	41,37,338 4 0	422	7,41,933 8 0

Average number of Cases per annum 491

Average Aggregate Value involved ... ... 27,22,486 Rupees.

T. BEAUFORT,

Officiating Superintendent and Remembrancer of Legal Affairs.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

1969

1970

APPENDIX No. 564

Remembrancer of Legal Affairs North Western Provinces.

No. 723. *A. of* 1856.

From

C. B. THORNHILL, Esquire,
Officiating Secretary to Government,
North Western Provinces.

To

H. RICKETTS, Esquire,
Commissioner for the revision of Civil Salaries.

Dated, Head Quarters, 18*th June,* 1856.

FINANCIAL DEPARTMENT.

Sir,

In reply to your letter No. 260 of the 10th Instant, enquiring what arrangements for the conduct of Government Suits and prosecutions in the North Western Provinces enables the expense of a Legal Remembrancer to be avoided, I am directed to inform you that the duty of watching and guiding the progress of cases in which Government is concerned, is only performed in Civil Suits, and is under the charge of the Sudder Board of Revenue for all branches of the Public service in these Provinces.

2. The duty, as might be expected, is not sufficiently provided for under these circumstances. The Lieutenant Governor, on his first arrival in these Provinces, called for an annual report from the Board on the suits in which Government is a party. Such is rendered punctually by the Legal Remembrancer in Bengal, yet up to the present time, no such report has been received.

3. There is another great defect in these Provinces in the absence of any officer to whom might be entrusted the care, as Government Advocate, of important criminal prosecutions. It has been the intention of the Lieutenant Governor to watch the means of providing the requisite salary for an officer to be charged with the duties both in the Civil and Criminal Departments. Some portion of the funds will indeed be obtained by the reduction of the salary of the Register of the Court of Nizamut Adawlut from 2,000 to 1,500 or 1,200 Rupees per mensem; but this alone will be by no means adequate to the standing and experience fitted to fill with efficiency the important office referred to.

4. The Lieutenant Governor has refrained from bringing the scheme forward in a definite form for orders, until he should find himself in a position to suggest the means of providing an adequate salary without adding to the public expenditure.

I have the honor to be,
Sir,
Your most obedient Servant,
C. B. THORNHILL,
Officiating Secretary to Government,
North Western Provinces.

Head Quarters,
Nynee Tal,
the 18*th June,* 1856.

1972

1975

APPENDIX No. 565

Remembrancer of Legal Affairs, North Western Provinces.

COPY.

No. 1350 *of* 1856.

From

W. H. LOWE, Esquire,

Officiating Secretary, Sudder Board of Revenue, North Western Provinces, Agra,

To

C. B. THORNHILL, Esquire,

Officiating Secretary to Government, North Western Provinces.

Dated, Agra, *the 7th October,* 1856.

REVENUE.

Present.
W. Muir, Esquire, Officiating Member.

Sir,

With reference to Government order No. 3158 of the 8th July 1854, paragraph 5, I am directed by the Sudder Board of Revenue to submit, for the information of the Honorable the Lieutenant Governor, the accompanying statement showing the number of suits in which the Government have been concerned, from 1843—44 to 1852—53.

2nd. An Abstract of similar suits in the Bengal Presidency for the same year is added to the statement.

3rd. A copy of this communication, and of the statement has been forwarded to the Commissioner of Civil salaries.

4th. The statement for 1853—54 is now under compilation, and will be submitted at as early a date as practicable.

5th. It will be observed that during the ten years under report, 502 original suits were decided; in 400 of which, or 80 per cent, the decision was favorable to Government. There were 184 appeals to the Zillah Judge, or Principal Sudder Ameen; in 128 of which, or 70 per cent, Government gained its cause. There were 63 appeals to the Sudder Dewany Adawlut, in 57 of which, or 91 per cent, the result was favourable to Government. In 21 cases, or 4 per cent, Government lost its cause twice, and in 3 cases, or .06 per cent, thrice.

6th. In Bengal there is a vastly large number of cases in which the Government has been brought into Court, the numbers being 4,261 instituted within the ten years, against 515 in these provinces. The success of Government has been pretty much the same in both Divisions of the presidency, as will be seen from the following Abstract.

Division of Presidency.	Per centage of suits decided in the first instance in favor of Government.	Per centage similarly decided on appeal to Judge, or Principal Sudder Ameen.	Per centage similarly decided by Sudder Dewany Adawlut.	Per centage decided twice against Government.	Per centage decided thrice against Government.
Bengal	80⅘	78	71	3¼	Not given.
North Western Provinces	80.	70	91	4	.06

I have, &c.

(Signed) W. H. LOWE,
Officiating Secretary.

(True Copy)
E. G. FRASER,
Assistant Secretary.

1974

APPENDIX No. 566

Remembrancer of Legal Affairs, Madras.

No. 662.

FORT SAINT GEORGE,
15th September 1855.

From

J. D. BOURDILLON, ESQUIRE,
Secretary to the Government of Fort Saint George,

To

CECIL BEADON, ESQUIRE,
Secretary to the Government of India.

JUDICIAL DEPARTMENT.

SIR,

I am directed by the Right Honorable the Governor in Council, to forward, for submission to the Government of India, the accompanying letter, with its enclosures, from Mr. J. B. Norton, Government Pleader in the Court of Sudder Adawlut, representing the nature and extent of the duties which now devolve upon his Office, soliciting that the salary attached to it may be reconsidered, and that the appointment may be established on such a basis, as may be calculated to secure the services of an efficiently qualified professional person.

2. From the correspondence noted in the margin* it will be perceived that when the office of Government Pleader was revised in 1852, the Supreme Government intimated their doubts whether the salary, Rupees 300, proposed to be assigned to the appointment, would be an adequate remuneration for the duties which would have to be performed by the party filling the Office on its new status. It will also be seen from one of the enclosures to his present letter, that Mr. J. B. Norton, in accepting the situation, adverted to the low rate of salary attached to it, and reserved to himself the privilege of making such representation to the Government as might seem to him to be called for, after he had had more full experience of the requirements of his new office.

3. This time he conceives to have now arrived; and in his letter and the extract from his diary which accompanies it, he has amply shown the arduous and responsible nature of his employment. It will thence appear that his functions are those discharged by the Legal Remembrancer and Government Pleader in the other Presidencies. He has not only to conduct the Government suits, and maintain the Government interests in his own court, but is frequently applied to by the Government and the Board of Revenue to advise them in regard to the prosecution or defence of actions in the lower courts; and to draft or revise the pleadings to be filed in those courts. He is also referred to by the Government, the Revenue Board and the Officers in the Provinces, for his opinion in the construction of the Acts or Regulations, and on points of law and practice. He is likewise employed in preparing Drafts of Acts for representation to the Legislative Council, and is indeed now occupied in the preparation of certain drafts of this nature demanding much care and thought. His labors will be still further augmented if a proposition now under consideration for the admission of oral pleadings before the Court of Foujdaree Adawlut in support of appeals in Criminal Cases be acceded to; in which event he will have to

*To the Secretary to Government of India, 25th February 1851. From Do. Do. 9th April 1851.

1976

APPENDIX No. 566

Remembrancer of Legal Affairs, Madras.

watch the proceedings on behalf of Government, and from time to time to appear and argue in support of the conviction under appeal.

4. Mr. Norton has hitherto performed his duties to the entire approval of the Government and of the Sudder Court; but it cannot be expected that he will continue to render, on his present slender salary, services which must so greatly interfere with his other professional avocations, and which will probably become still more burdensome; while it is certain that, in the event of a vacancy in the Office, no duly qualified person could be found to take it on such terms.

5. It is understood that the Legal Remembrancer at Calcutta draws a salary of Rupees 3,000 per mensem, and that he has the assistance of a Pleader to aid him in the conduct of cases before the Sudder Court. The Government may admit that the labors devolving upon that Office may be greater than those which would fall to the lot of a corresponding functionary in this Presidency, but they consider that in soliciting that the pay of the appointment here be fixed at one third that of the Calcutta Office, or Rupees 1,000 per mensem, they have named the lowest sum which will constitute a due recompense for the duties to be discharged at Madras, or which will secure the services of a thoroughly qualified person to fill the post. I have therefore been instructed strongly to recommend that the salary of the Office be henceforward fixed at Rupees 1,000 monthly. The Government also propose to change its designation to that of "Legal Re-"membrancer and Government Pleader," as comprehending the duties pertaining to both those appointments.

I have the honor to be &c,

(Signed) J. D. BOURDILLON,

Secretary to Government.

FORT SAINT GEORGE,

the 15th September 1855.

APPENDIX No. 566

Remembrancer of Legal Affairs, Madras.

MADRAS 6*th August* 1855.

From

J. B. NORTON, ESQUIRE,
Government Pleader,

To

T. PYCROFT, ESQUIRE,
Chief Secretary to Government, in the Judicial Department.

SIR,

I have the honor to request that you will lay this letter and its accompaniments before the Right Honorable the Governor in Council for his Lordship's consideration.

2. In December 1852, I was appointed to the Office of Government Pleader, which was then put upon a new footing; the Office up to that time having been filled by a native, whom the Judges of the Sudder Adawlut found incompetent to contend against the European Pleaders, who had then lately commenced practising in that court.

3. The duties of the Pleaders were confined to advocating Government causes in the Sudder, all matters on which Government required an opinion being referred to the Judges themselves for their report.

4. By a reference to the communications between this and the Supreme Government, with the perusal of which I was favoured at the time, it will be seen that apprehension was even then expressed that the salary proposed would not be sufficient to secure the services of a duly qualified Pleader, such salary being designated "a retaining fee."

5. Upon my being nominated by the Judges, The Right Honorable the Governor, in council, by Minutes of consultation dated 21st December 1852, required to know, before confirming my appointment, whether I was willing to accept it "on its new status."

6. In reply to this, I wrote to the Registrar of the Sudder Adawlut the letter, copy of which accompanies, which fully explains the understanding upon which I accepted the office, and expressly reserves liberty to address Government on the subject of salary after experience should have satisfied me of the nature and extent of the duties of the office.

7. I have now had such, and find that they are of such a nature as, in my humble opinion, to deserve a very different rate of remuneration from that at present affixed to the office.

8. The accompanying Extract from my Diary will show what labours have devolved upon me; and I cannot fail to have observed that, *latterly*, references have been more frequently made to me, involving important points and heavy labours, such as drafting acts and the like.

9. In Calcutta, I understand that the Legal Remembrancer, who has the assistance of a Pleader to perform the work in Court, is very handsomely paid; and in Bombay the Legal Remembrancer, whose duties I learn are not so onerous as mine, receives a higher salary than I do here.

10. Indeed I trust I may be permitted to observe, that the considerations which weighed with me in taking the office were other than pecuniary; nor should I now address Government on the subject, but for the amount of labour and time which my official duties as Pleader call for.

11. I have no Office Establishment, which has entailed upon me the necessity of employing a competent writer at a salary of 25 Rupees a month; and but for the Sudder Judges kindly furnishing me with stationery and the use of a Translator when necessary, these expences would

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also have had to be provided for out of my 300 Rupees a month. I have no right to such an indulgence from the Sudder Court, and it might at any time be discontinued.

12. Under these circumstances, I respectfully beg to appeal to the consideration of the Right Honorable the Governor in Council to place the office upon such footing as may make it worth the while of a duly qualified professional man to hold it.

13. It is certainly one of very grave responsibility. It is not for me to refer to the way in which I have discharged its duties further than to indulge in the hope that it has met with the approval of the Government; but I would beg to observe that I have felt it my duty to reject large classes of remunerative business repeatedly offered me, because I did not conceive that I could accept it consistently with my position.

14. I should mention that, in accordance with the practice of my predecessor, I am entitled to the Regular fees in all cases which I may advocate in Court, though I have not hitherto claimed them from the smallness of the amount at issue. In event of a heavy suit, these fees would, no doubt, increase the official emoluments of the Government Pleader, but the really onerous duties of the office are those resulting from the change *after* my nomination, whereby I became the Law adviser of Government, in lieu of the Judges, in all matters with Mofussil Law.

15. I have long intended to make this application to Government, but have been deterred by the expectation of an amalgamation of the Courts, which would probably entail the necessity of a thorough readjustment of the offices in both; and latterly, by being informed that, in consequence of the admission of oral pleadings in criminal matters, the Judges of the Foujdarree Adawlut have felt it necessary to apply for my services to prosecute in appealed cases.

16. This duty alone would be a very heavy addition to my present labours. The records in Criminal cases are ordinarily so voluminous that the mere perusal of their details would consume no small portion of my time, and indeed multiply twenty fold my present labours *in* Court.

17. Under these circumstances, I ventured to hope that the nature of the Office may be reconsidered now that its duties have been proved by actual experience, and that it may be established on such a basis as may be calculated to secure the services of an efficiently qualified professional man.

MADRAS,
6th August 1855.

(Signed) JOHN BRUCE NORTON,
Government Pleader.

From

J. B. NORTON, ESQUIRE,
Barister at Law,

To

A. J. ARBUTHNOT, ESQUIRE,
Deputy Register to Sudder Court.

SIR,

I have the honor to acknowledge the receipt of your letter of the 23rd Instant, together with its enclosures, which I herewith return.

2. I observe that the Government desires to know whether I am prepared to undertake the Office of Government Pleader upon its new status, a status upon which it has been put subsequent to my application for the Office.

3. From a perusal of the documents furnished me by the Order of Government, I learn

APPENDIX No. 566

Remembrancer of Legal Affairs, Madras.

that in Calcutta the duties which the Government Pleader in this Presidency will now be called upon to perform, are divided between two gentlemen, the one a Pleader, the other a Legal Remembrancer; that the pay of the former alone is equal to that offered to that officer who will have to perform both duties at Madras; and that the Supreme Government expresses a doubt whether that salary will be sufficient for an office of the quality which the Pleadership has now become.

4. The Legal Remembrancer at Calcutta receives, as I understand, a very large monthly salary. At Bombay too, I believe a similar arrangement has been effected, and Mr. Howard, a Barrister, is there the Legal Remembrancer upon a considerable salary.

5. It is apparent that the nature of the office has been totally changed; that, in point of fact, if I may use the term, the two offices have, during the progress of the negotiations, been rolled into one; and that the pay of by far the inferior office is nevertheless assigned for the discharge of the duties of both.

6. I further gather from a perusal of the papers, that the proposal for an increase of the Government Pleader's pay primarily arose from the inability of the native then holding the office to compete, *in Court*, with his European antagonists; and that the Honorable the Judges, in their minutes and letters to Government, suggested, among other advantages likely to arise from retaining the services of a person of superior qualifications, that he would be able to communicate with the Law Officers in the Provinces. To this the Supreme Government appear to have hooked on references from the Board of Revenue.

7. It appears to me that it is from the mere accident of a person supposed to possess extensive legal acquirements offering himself as a candidate for the Pleadership upon its then footing, that the Honorable the Judges suggested, and the Government have recognised, the expediency of transferring all future references upon Law points from the Court to the officer.

8. Thus the office of the Government Pleader has become one of far greater responsibility and importance than was ever contemplated in the first instance; and there can be little doubt that qualifications of a far higher nature are requisite to discharge its present duties with efficiency than would have been necessary for the due performance of the work of a mere Pleader.

9. In point of fact, by the new status on which the office has been placed, the gentleman appointed, though nominally the Government Pleader, is in reality the Law adviser of the Government on all points of Mofussil law.

10. I will not attempt to conceal my impression that the salary of 300 Rupees a month, though ample for a Pleader looking to the comparatively small amount of Government business which has hitherto found its way into the Sudder Court, is very inadequate for an office of the dignity, importance and responsibility which this has now become.

11. At the same time, as I can form nothing approximating even to a correct estimate of the amount of work which the office is likely to entail upon me, I shall be prepared, with the approval of Government, to undertake it upon its new status.

It will be for me hereafter, when I shall have had full experience of the matter, to make such representation to the Government as I may feel justified, if at all, by the circumstances.

(Signed) JOHN BRUCE NORTON.

MADRAS,
31*st December* 1852.

(True Copy)
(Signed) JOHN BRUCE NORTON,
Government Pleader.

1980

APPENDIX No. 567 and 568

Remembrancer of Legal Affairs, Madras.

No. 4136.

FORT WILLIAM,
FINANCIAL DEPARTMENT,
The 31st October, 1855.

Read an Endorsement from the Home Department, No. 1217, dated the 29th Ultimo, forwarding, for consideration and orders, a letter from the Government of Fort St. George, No. 662, dated the 15th Idem, with its enclosures, recommending that the salary of the office of Government Pleader in the Court of Sudder Adawlut be raised from Rupees 300 to 1,000 per month, and that its designation be changed to that of "Legal Remembrancer and Government Pleader," as comprehending the duties appertaining to both the offices.

ORDER.

Ordered that the Home Department be informed that this application will be laid before the Finance Committee which will shortly be appointed for the revision of Civil salaries.

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FORT ST. GEORGE,
27th November 1855.

No. 868.

From

T. PYCROFT, ESQUIRE,
Chief Secretary to the Government of Fort St. George,

To

The Secretary to the Government of India,
FINANCIAL DEPARTMENT.

JUDICIAL DEPARTMENT.

SIR,

Paragraph 1. I am directed by the Right Honorable the Governor in Council, to acknowledge the receipt of an Extract from the proceedings of Government in the Financial Department of the 31st Ultimo, on an application from this Government, under date 15th September last, for an increase to the salary of the Government Pleader.

2. In my letter of the above date, the Madras Government brought to the notice of the Government of India, the nature and extent of the duties devolving upon the Government Pleader, Mr. J. B. Norton, as illustrated by an Extract from his diary. They represented that his labors in that capacity had increased, and were likely still more to increase. They submitted their own opinion and that of the Court of Sudder Adawlut, that the salary now attached to the office was inadequate, and insufficient to secure the services of a competent person for the appointment in the event of its being vacated by Mr. Norton; and they solicited that it be raised to Rupees 1,000 per mensem, proposing at the same time that its designation should be changed to that of Legal Remembrancer and Government Pleader; as it did, in fact, embrace the duties of both those offices.

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APPENDIX No. 568.

Remembrancer of Legal Affairs, Madras.

3. In the Extract now acknowledged, this Government are informed that the application will be laid before the Financial Committee which will shortly be appointed for the revision of Civil salaries.

4. In reply, the Madras Government trust that they shall be excused if they again press the subject on the attention of the Government of India, and solicit that the application may at once be acceded to. The Finance Committee has not yet been appointed; its proceedings will probably extend over years. The present matter is, however, one of urgency. The Government have already expressed their opinion that the office of Government Pleader at Madras is underpaid, and have applied for such a rate of remuneration as appeared to them to be moderate, both with reference to that assigned to the similar office in Bengal, and to the intrinsic magnitude and importance of the duties performed at Madras. They cannot expect that the present incumbent will continue for an indefinite period to fill the office on the existing allowances; and from the delay in placing the situation on its proper footing, the Government will be exposed to the loss of the services of a first rate man, and compelled to employ persons of inferior talents, to their own serious embarrassment, and to the detriment of the public service.

5. Under these circumstances, the Government would still hope for an immediate and favorable reply to the application of the 15th September last.

I have the honor to be, &c.

(Signed) T. PYCROFT,
Chief Secretary.

FORT ST. GEORGE,
27th November, 1855.

1985

APPENDIX No. 569

Remembrancer of Legal Affairs, Madras.

No. 4874.

To

The Chief Secretary to the Government of
Fort St. George.

FINANCIAL DEPARTMENT.

SIR,

I am directed to acknowledge the receipt of your letter No. 868, dated the 27th ultimo, and in reply to inform you, that the application of the Government of Fort St. George to raise the salary of the office of Government Pleader in the Court of Sudder Adawlut at that Presidency, from Rupees 300 to Rupees 1,000 per month, and to change the designation of the appointment to that of "Legal Remembrancer and Government Pleader," has been recommended to the favorable consideration of the Honorable Court.

I have the honor to be, &c.
(Signed) C. H. LUSHINGTON,
Secretary to the Government of India.

FORT WILLIAM,
21*st December* 1855.

(A True Copy)
E. DRUMMOND,
Officiating Secretary to the Government of India.

1984

APPENDIX No. 510

Remembrancer of Legal Affairs, Madras.

No. 172.

To

The Honorable the Court of Directors of the East India Company.

HONORABLE SIRS,

We have the honor to lay before your Honorable Court Copies of the papers noted in the Margin,* having reference to an application from the Government of Fort St. George to raise the salary of the office of Government Pleader in the Court of Sudder Adawlut at that Presidency, from Rupees 300 to Rupees 1,000 per month, and to change the designation of the appointment to that of "Legal Remembrancer and Government Pleader," as comprehending the duties appertaining to both offices.

2. We had decided, in the first instance, to place the application before the Finance Commissioners who will shortly be appointed to revise Civil Salaries; but your Honorable Court will see that the Government of Fort St. George represent that the salary allowed to the Government Pleader is so small compared with the magnitude and importance of the duties, that they cannot expect that the present incumbent, Mr. J. B. Norton, of the Bar, who is a valuable and efficient officer, will continue to fill the office on the existing allowances, pending the decision of the Finance Commissioners; the result of whose labors may extend over a period of two or three years. And under these circumstances, we submit the application at once for the orders of your Honorable Court. Mr. Norton, as the Government Pleader at Madras, has not only to conduct the Government suits, and to maintain the Government interests in his own Court, but he is frequently applied to by the Board of Revenue and the Government to advise them in regard to the prosecution or defence of actions in the lower Courts, and to draft or revise the pleadings to be filed in those Courts. He is also referred to by the Government, the Board of Revenue, and the officers in the Presidency, for his opinion on the construction of the acts or Regulations, and on points of law and practice; and is employed likewise in preparing Drafts of acts for presentation to the Legislative Council.

3. We recommend, in consideration of Mr. Norton's duties, that the proposal of the Government of Fort St. George may be sanctioned. The Legal Remembrancer in Calcutta draws a salary of Rupees 2,500 per month.

We have the honor to be, &c.

(Signed) DALHOUSIE,
(„) J. DORIN.
(„) J. LOW.
(„) J. P. GRANT.
(„) B. PEACOCK.

FORT WILLIAM,
The 24th December, 1855.

(A true Copy)
C. HUGH LUSHINGTON,
Officiating Secretary to the Government of India.

*Letter from Secretary to the Government of Fort St. George, No. 662, dated the 15th September 1855, with enclosure.
Financial Resolution, No. 4136, dated the 31st October 1855.
Letter from Chief Secretary to the Government of Fort St. George, No. 868, dated the 27th November 1855.
Letter to do. No. 4874, dated the 21st December 1855.

1986

APPENDIX No. 571

Remembrancer of Legal Affairs, Madras.

EXTRACT FROM A DESPATCH FROM THE HONORABLE THE COURT OF DIRECTORS, ADDRESSED TO THE GOVERNMENT OF INDIA, IN THE FINANCIAL DEPARTMENT, No. 65 OF 1856, DATED THE 23RD JULY.

Letter from, dated 24th December 1855, *No.* 172.

Forward papers having reference to an application from the Government of Madras, to raise the salary of the Office of Government Pleader in the Court of Sudder Adawlut at that Presidency, (now held by Mr. Norton,) from Rupees 300 *to Rupees* 1,000 *per month, and to change the designation of the appointment to that of "Legal Remembrancer and Government Pleader." The Government support the proposition with their recommendation.*

Paragraph 3. The application for increasing the salary of the Government Pleader at Madras was, in the first instance, considered by you to be one which might lie over for decision, pending its reference to the Finance Commissioners about to be appointed to review salaries. But upon a second application from the Government of Madras, you determined at once to submit the subject to us.

4. We cannot see any reason at present for so sudden and large an increase of salary. The salary of the Legal Remembrancer at Bombay is, however, Rupees 500 per month; and pending the reference to the Finance Commissioners, we shall permit the same salary to be received by Mr. Norton, who performs analagous duties at Madras.

(A true Copy)

C. HUGH LUSHINGTON,

Officiating Secretary to the Government of India.

1988

APPENDIX No. 572

Remembrancer of Legal Affairs, Madras.

No. 57.

FORT SAINT GEORGE, 27*th January* 1857.

To

H. RICKETTS, ESQUIRE,
Commissioner for the revision of Civil salaries and Establishments throughout India.

FINANCIAL DEPARTMENT.

SIR,

In compliance with the requisition contained in your letter of the 17th October, No. 579 of 1856, I am directed by the Right Honorable the Governor in Council, to transmit to you the accompanying statement shewing the number of Suits, original and appeal, instituted in the Company's Courts in this Presidency from 1851 to 1855 inclusive, in which the Government has been concerned, and the aggregate value of the interests embraced in the Suits.

2. I am at the same time instructed to remark, in reference to the observation contained in paragraph 2 of your letter, that this return gives but a very inadequate idea of the labors devolving on the Government Pleader in this Presidency. His duties are not confined to the revision or preparation of pleadings, or conduct of suits in cases in which Government are concerned, but involve the disposal of references made to him both by Government and the Local Officers on points connected with the practice or construction of the law as administered in the Provinces, on which he is freely consulted in the same manner as the Advocate General on questions falling within the jurisdiction of the Supreme Court, or on points of English law. He has also occasionally to draft or settle Acts to have operation in the Mofussil. To these have also lately been added the duty of appearing in the Court of Foujdarree Adawlut on behalf of Government, on appeals preferred from the judgments of the inferior Criminal Courts, and heard by Counsel before the Foujdarree.

I have the honor to be,
Sir,
Your most obedient servant,

T. PYCROFT,
Chief Secretary.

1990

APPENDIX No. 5/2

Remembrancer of Legal Affairs, Madras.

GENERAL STATEMENT showing the number of Suits, Original and Appeal, instituted in the several Courts, within the last five years, in which the Government has been concerned, and the aggregate value of the interests embraced in the Suits.

	Original Suits.										Appeal Suits.									
	1851.		1852.		1853.		1854.		1855.		1851.		1852.		1853.		1854.		1855.	
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.
		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.
Court of Sudder Adawlut ...	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	3	872 12 0	0	0 0 0	1	2,375 8 4	2	2,616 8 4	1	2,375 8 4
Before the Civil Judges ...	1	1 0 0	1	320 0 0	11	0 0 0	10	18,291 3 10	8	14,644 10 6	8	14,338 4 4	6	199 7 10	1	150 0 0	6	4,425 8 4	5	1,257 12 10
„ Subordinate Judges ...	9	11,023 11 8	10	1,696 9 9	16	7,028 14 3	17	6,098 10 2	12	12,104 4 8	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0
„ Assistant Judges ...	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0
„ Agents ...	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0
„ Assistant Ditto ...	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0
„ Principal Sudder Ameen ...	4	289 8 0	3	1,709 8 0	4	1,099 7 0	9	11,220 4 0	5	3,597 11 7	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0
Total ...	14	11,314 3 8	14	3,726 1 9	31	8,128 5 3	36	35,610 2 0	25	30,346 10 9	11	15,211 0 4	6	199 7 10	2	2,525 8 4	8	7,042 0 8	6	3,633 5 2

(Signed) GEORGE ELLIS,
Register.

(True Copy)
T. PYCROFT,
Chief Secretary.

SUDDER ADAWLUT, REGISTER'S OFFICE,
19*th January* 1857.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

1991

1992

APPENDIX No. 5/3

Remembrancer of Legal Affairs, Bombay.

No. 2829 *of* 1856.

TERRITORIAL DEPARTMENT,
REVENUE.

To

H. RICKETTS, ESQUIRE,
Commissioner for the revision of Civil Salaries and Establishments throughout India.

SIR,

I am directed to acknowledge the receipt of your letter, No. 264, dated the 10th Ultimo, requesting to be informed whether a Salary of (6000) six thousand Rupees per annum, has been found sufficient to procure the services of a person qualified to perform, with efficiency, the duties of Remembrancer for Legal Affairs at this Presidency, and calling for a Statement of the work performed in his office during the last year.

2. In reply, I am instructed by the Right Honorable the Governor in Council to inform you, that, on the creation of the office in 1842, with the concurrence of the Government of India, Mr. William Howard, Barrister at law, was appointed to it on a Salary of Rupees (500) five hundred per mensem, and he was given distinctly to understand that this allowance was intended to cover all charges for Establishment and contingencies, and that it would, on no account whatever, be exceeded at any future period.

3. This Government have had the advantage, in the person of the late Remembrancer, of the services of the leading Barrister at the Bombay Bar, who has rendered most valuable service to Government.

4. A copy of a Memorandum of the work performed in the Office of the Legal Remembrancer during the year ending on the 30th April 1856, is annexed, as requested.

BOMBAY CASTLE,
28th July, 1856.

I have the honor to be,
Sir,
Your most obedient servant,
H. YOUNG,
Officiating Chief Secretary to Government.

Memorandum of work performed in the Office of the Remembrancer for Legal Affairs from the 1st of May 1855 *to the* 30*th April*, 1856.

ANSWERS sent to one hundred and forty nine references from Government, chiefly requesting legal advice and opinion on suits instituted against Government Officers in the Mofussil.

1994

APPENDIX No. 545

Remembrancer of Legal Affairs, Bombay.

Draft of an Act for the protection of public accounts and documents relative to the Revenue &ca., prepared.

Petition to the Judges of the Sudder Dewanee Adawlut for a review of their decision relative to the Bhagdari and Gubhan land tenures in Broach, prepared.

Attendance in Court (on the 23rd January 1856) to argue the matter of the petition.

(Signed) E. J. HOWARD,
Remembrancer for Legal Affairs.

(True Copy)
H. YOUNG,
Officiating Chief Secretary to Government.

APPENDIX No. 5/4

Remembrancer of Legal Affairs, Bombay.

STATEMENT SHEWING THE NUMBER OF CASES, ORIGINAL AND APPEAL, INSTITUTED IN THE CIVIL COURTS UNDER THE PRESIDENCY OF BOMBAY, FROM THE YEAR 1851 TO 1855, IN WHICH THE GOVERNMENT HAS BEEN CONCERNED, AND THE AGGREGATE VALUE OF THE INTERESTS EMBRACED IN THE SUITS.

	Number of cases	Aggregate value of the interests embraced in the suits	REMARKS.
Original suits	488	2,81,621-4-9	
Appeals	103	1,18,851-7-8	The value of appeal from Rutnagherry is not given, as the amount, Mr. Tucker states, is comprised in the original suits.

(True Copy.)
H. YOUNG,
Officiating Chief Secretary to Government.

BOMBAY, Sudder Dewanee Adawlut,
21*st January* 1857.
(Signed) M. A. COXON.
Registrar.

1995

1996

APPENDIX No. 545
Remembrancer of Legal Affairs, Bombay.

No. 44 *of* 1857.

To

H. RICKETTS, Esquire.
Commissioner for the Revision, &c.

Sir,

I have had the honor to receive your letter dated the 26th February last, No. 807.

2. In pursuance of the request therein contained, I beg to transmit the following Memorandum.

MEMORANDUM.

Before bringing or defending an action in their official capacity, Collectors and Magistrates are required to obtain the formal permission of Government. With that object they are required to forward a copy of the plaint, if there is one, with their remarks and such information as may enable Government to decide on the course to be adopted.

2. These papers are forwarded to me for my report and opinion, and it almost always happens that Government are guided by my advice.

3. If Government direct the action to be brought or defended, (as the case may be,) the Collector or Magistrate reports the result of the trial; and if the decision is adverse to Government, or the plaintiff appeals, the case is again submitted for my report, and the decision thereon by the Governor in Council communicated to the Collector or Magistrate (as the case may be).

4. At each fresh step in the suit, the Collector or Magistrate obtains in a similar manner the authority of Government for the course which he pursues.

5. If the suit concerns alienated public revenue, the opinion of the special revenue Commissioner is first taken, who transmits the proceedings to me, which after report are forwarded by me to the Governor in Council, for his decision.

6. Questions affecting the Customs' Department and on the construction of the regulations and of the acts of the Legislative Council, draft projects of laws regarding the Mofussil, and generally questions on the law applicable to the Mofussil, are also at the pleasure of Government referred to me for advice and opinion.

7. In any case which comes before the Sudder Adawlut in appeal, in which the rights of Government are concerned, if any principle of importance is involved, I appear on behalf of Government, on their express instructions. In ordinary cases, the Government pleader attends.

8. There is no code of rules regulating the mode in which Government suits are to be conducted—but there are several Government circulars having for their object the enforcement of the course, which I have already described; and of which, if you desire it, I will request copies to be furnished to you.

9. The extent of my responsibility, as I understand it, is that which attaches to the law officers of the crown at home, and which is too well known to require further description.

BOMBAY,
23*rd April* 1857.

I have the honor to be
Sir,
Your most obedient Servant,
JOHN J. LOWNDES,
Remembrancer for Legal affairs.

1998

APPENDIX. No. 576

Miscellaneous Papers respecting the Salt & Opium Departments Bengal.

No. 850.

Revenue Board, Calcutta, E. T. Trevor, Esq.

FROM

The Officiating Secretary to the Board of Revenue.

To

The Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Dated Fort William, the 13th August, 1856.

SIR,

With reference to para: 1, of your letter, No. — dated the 24th Ultimo, I am directed to forward herewith, a Statement of the average quantities of Salt and Opium, manufactured during the last five years, in the Agencies subject to the Board. As regards the other items of information, the Agents have this day been instructed to furnish them to you *direct*, as the safest and speediest way of meeting your wishes.

SALT.
W. Dampier, and H. Stainforth, } Esquires.

2nd. The mode of calculating the responsibilities of the Salt and Opium Agents, which is proposed in your 2nd para:, would, in the Board's opinion, be most unfair. It would place among the lowest of the Salt Offices, the Agency of Chittagong, where the duties are more onerous and responsible, than in any other Agency; and would place Balasore and Hidgellee, where the work is the easiest, high in the Scale. With reference to the Opium Department, the plan would either reduce Benares too much, or give Patna too high a remuneration.

3rd. Adverting to your 3rd para:, I am desired to state, that the Hidgellee and Tumlook Agencies, cannot be placed under the Cuttack system. They are within the Collectorate of Midnapore, and as the Agents, in consequence of the unhealthiness of the localities, are allowed to reside elsewhere, during a considerable portion of the year, the local Collectorate duties could not be performed by them for such period. In Chittagong, the Agent is now fully employed.

4th. In reply to your 4th, 5th, and 6th paras:, I am desired to state, that the Board are aware of no objection to the employment of Natives in any Offices under Government, *provided they are fitted.* This condition fulfilled, they might, the Board think, occupy the highest stations, with great advantage to the Government, and the People.

5th. As regards the last para: of your letter, I am desired to say, that the Board are not prepared to discuss the general question of the relative renumeration to Europeans and Natives, employed in precisely similar duties, such not being one of the sub-

2000

APPENDIX. No. 576

Miscellaneous Papers respecting the Salt & Opium Departments Bengal

Revenue Board, Calcutta, E. T. Trevor, Esq.

jects embraced in the letter of instructions from the Government of India, issued upon the creation of your Office, and an Extract of which was forwarded to the Board, by Government, for their information and guidance.

I have the honor to be, &c.,

(Signed) E. T. TREVOR,

Officiating Secretary.

APPENDIX No. 56

Salt Department, Bengal.

AVERAGE STATEMENT of Out-turn of Salt from the Bengal and Cuttack Agencies, during 5 years ending with the last year reported upon.

	HIDGELLEE.	TUMLOOK.	24-PERGUNNAHS.	CHITTAGONG.	BALASORE.	CUTTACK.	POOREE.
	Mds.	*Mds.*	*Mds.*	*Mds.*	*Mds.*	*Mds.*	*Mds.*
1850-51	10,26,721 5 0	9,21,835 5 0	"	"	5,71,085 0 0	2,44,406 37 10	3,37,156 20 0
1851-52	7,71,074 5 0	7,06,695 30 0	"	"	4,68,353 10 0	1,37,424 6 15	1,88,386 10 0
1852-53	8,06,944 22 0	8,59,902 35 0	"	"	5,07,088 20 0	1,57,014 9 13	4,44,505 0 0
1853-54	9,21,532 5 0	8,56,120 0 0	"	4,82,183 25 0	6,72,999 10 0	2,68,715 8 10	7,15,056 15 0
1854-55	8,33,449 30 0	7,69,153 30 0	"	6,55,839 5 2¾	4,40,690 10 0	2,11,993 33 11¼	6,82,944 5 0
	43,59,721 27 0	41,13,707 20 0	"	11,38,022 30 2¾	26,60,216 10 0	10,19,554 16 11¼	23,68,048 10 0
Average	8,71,944 13 0	8,22,741 20 0	"	5,69,011 15 1	5,32,043 10 0	2,03,908 35 5	4,73,609 26 0

E. T. TREVOR,

Offg. Secretary.

The 13th August 1856.

1221

2002

APPENDIX. No. 5.

Miscellaneous Papers respecting the Salt & Opium Departments Bengal

ENCLOSURE 2.

Statement shewing the outturn of Opium, in the Behar and Benares Agencies, during the last 5 Years.

Year of Manufacture.	Behar. Maunds.	Benares. Maunds.	Remarks.
1850-51	43,268 7 1½	17,784 27 13	
1851-52	48,158 34 14¾	22,438 30 9¼	
1852-53	63,011 39 15½	24,444 21 13½	
1853-54	68,016 23 3¼	28,262 6 6¾	
1854-55	57,933 39 10	21,000 28 0½	
5 Total	2,80,389 24 13	1,13,930 34 10¾	
Average	56,077 36 15¼	22,786 6 14¾	

BOARD OF REVENUE,
Fort William, the 13th August, 1856.

E. T. TREVOR,
Officiating Secretary.

Revenue Board, Calcutta, E. T. Trevor, Esq.

2005

2004

APPENDIX. No 577

Miscellaneous Papers respecting Superintendent Salt Golahs Sulkea

No. 11.

Sulkea, Salt Agent's Office, H. Alexander, Esq.

FROM

The Superintendent of Sulkea Salt Golahs.

To

H. RICKETTS, Esq.,

Commissioner for the Revision

of Civil Salaries and Establishments

throughout India.

Dated, the 20th June, 1856.

SIR,

In compliance with the orders of the Board of Revenue, Lower Provinces, forwarding copy of your letter, No. 20, dated 29th March last, I have the honor to submit the following account of the duties and responsibilities attached to the office of Superintendent of Sulkea Salt Golahs.

2. The responsibility of the Superintendent is very great. The total quantity of Salt in store on this date being

Government Salt...	15,24,211	
Bonded	4,70,632	
	———	Total Md. 19,94,843.

the average value of which, computed at Rs. 3¼ per Md., would yield 65 Lacs of Rupees, but this is considerably beneath the usual amount. During the Import season, the stock of Salt is considerably augmented. In May 1846, when I took charge of the Office, the actual quantity of Salt in store, amounted to Mds. 33,70,000, or in money value, one crore and ten lacs; or upwards of one million sterling,—no small responsibility.

3. The duties of the office may be narrated as follows. Besides the current duties of the office, viz., examining and signing the Rowanahs and Chellans issued every day, the Superintendent has to examine, personally, and enter in the Registry Books, all Rowanahs presented by the Salt Merchants for delivery of Salt on the following day, signs the Tallies, enters with his own hand in the Golah Book, the receipts and deliveries of Salt each day, brings up the balance of Stock of Salt in hand at the

2006

Sulkea, Salt Agent's Office, H. Alexander, Esq.

end of each day, balances the Cash Account, and examines personally, the Monthly and other periodical Statements forwarded to the Board, the Salt Agents, the Accountant to the Government of Bengal, &c. The Superintendent also conducts the office correspondence, which at times is far from being light.

4. No Golah can be opened without his orders, and after every Golah has been stored, the Superintendent has to attach his Seal and Padlock on the door. During the Import season, when the Salt landed during the day is left in the Verandahs, the Superintendent visits the Golahs frequently in the early morning, to superintend the weighment and storing of the Salt, and, as frequently, visits the Golahs at night, at uncertain hours, to satisfy himself that every thing is correct, and the guard on duty at his post.

5. Since the introduction of the system of Bonding Salt, a heavy addition has been added to the work, the supervision of the store and delivery of Bonded Salt, which formerly rested with the Customs Officers, having devolved on this Department. Notwithstanding this additional labor, a large reduction in the Establishment has been effected during my incumbency, amounting to nearly 1,000 Rupees per mensem, so that every Officer in the Department is now fully employed, many of them from sunrise to sunset. It was chiefly at my suggestion that a number of Golahs was set apart for the reception of Bonded Salt, which now yield a considerable sum in Golah Rent, amounting to nearly Rupees 40,000 per annum, more than the aggregate cost of the Establishment. It may be added, that no Uncovenanted Assistant in the Office being authorized to sign the different papers, the Superintendent cannot absent himself from his duties, even for a day on account of illness.

6. Besides his own duties, the Superintendent is required to maintain a stric supervision over every Uncovenanted Officer in his Department;—a very different stat of affairs to that which obtained a few years ago, when everything was left to the Native Sheristadar and his Subordinates. The system which now obtains, is so admirably conducted, that it can hardly be improved upon, but might be abused were the salary reduced, or the appointment of Superintendent placed in the hands of any but a tried and honest servant of the Government.

7. The duties and responsibilities of the Superintendent of the Sulkea Salt Golahs were considered a few years ago of such importance, that the Incumbent drew a salary of Rupees 4,000 per mensem; the Salary has since been reduced one half, with increased duties and responsibilities.

8. In conclusion, I need hardly bring to your notice, that as Senior Member of the Board of Revenue, when you visited the Golahs in person during the early part of the year, you observed that the Establishment was in your opinion insufficient for the duties,—this ought to be deserving of some consideration, as, notwithstanding the large reduction of 1,000 Rupees per mensem, the duties have been conducted, I trust, with credit to the Department, over a period of 10 years without intermission. It would be

invidious perhaps, in a Report like this, to draw comparisons, but it seems to me, that the responsibility of a Salt Agent, who draws 2,500 Rupees per mensem, is not greater than that of the Superintendent of the Sulkea Salt Golahs, who only draws 2,000 Rs. per mensem.

Sulkea, Salt Agent's Office, H. Alexander, Esq.

I have the honor to be, Sir,

Your most Obedient Servant,

H. ALEXANDER,

Superintendent.

SULKEA SALT GOLAHS,
The 20th June, 1856.

2008

APPENDIX. No. 578

Miscellaneous Papers respecting Controller Salt Chowkies Calcutta.

No. 519.

Calcutta, Salt Chokies Office, J. G. Campbell, Esq.

FROM

The Controller of Government Salt Chokies.

To

The Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Salt. *Dated, 21st June,* 1856.

SIR,

I have the honor, with reference to your letter, No. 20, dated 29th March last, to the address of the Offg. Junior Secretary to the Board of Revenue, to furnish you with a copy of the Government orders, No. 33, dated 7th January 1846, from which you will observe, that the maximum Salary assigned to the Office of Controller of Salt Chokies, is Rupees 30,000 a year, with travelling allowance at the rate of Rupees 3,000 per annum. The full Salary of the appointment was not conferred on any of my Predecessors, as their contemporaries were not in receipt of such high pay. The first Controller received 24,000 per annum, and my immediate Predecessor 28,000. My salary it will be observed by the accompanying Copy of letter, No. 189, dated 18th May 1855, was raised to the maximum rate fixed for the appointment, viz. 30,000 Rupees.

2. As desired in Paras. 2 and 3 of your above communication, I beg to submit a Statement, exhibiting the duties and responsibilities of my present office. In my opinion the responsibilities of the post, are equal to those of a Revenue Commissioner, and the duties more arduous, and by no means as agreeable.

3. As your letter is dated as far back as 29th March 1856, and you may therefore imagine that delay in answering it has occurred in this office, I have the honor to inform you, that the letter of the Board forwarding it to me, is dated 14th, and that it was received by me on the 16th of this month only.

I have the honor to be, Sir,

Your most Obedient Servant,

OFFICE OF CONTROLLER OF GOVT. SALT CHOKIES.

J. G. CAMPBELL,

Controller.

2010

APPENDIX. No. 578

Miscellaneous Papers respecting Controller Salt Chowkies Calcutta

ENCLOSURE, No. 1.

(COPY)

No. 33.

Calcutta, Salt Chokies Office, J. G. Campbell, Esq.

FROM

G. A. BUSHBY, ESQ.,

Secy. to the Government of India.

To

F. J. HALLIDAY, ESQ.,

Secretary to the Government of Bengal.

Home Dept., Sept: Rev: *Dated, the 7th January,* 1856.

SIR,

I am directed to acknowledge the receipt of Mr. Under Secretary Beadon's letter, No. 3,283, dated the 17th Ultimo, with enclosures, and in reply to state, that for the reasons therein assigned, and in compliance with the recommendation of the Honorable the Deputy Governor of Bengal, the Honorable the President in Council is pleased to sanction the appointment of a Controller of Salt Chokies, for the purpose of efficiently controlling the Uncovenanted Superintendents of Salt Chokies in the Bengal Presidency, on a Salary not exceeding 30,000 Rs. a year, with travelling allowance at the rate of Rs. 3,000 a year.

2nd. You will report for the sanction of the Supreme Government, the Establishment that may be considered necessary for the Controllers Office.

I have the honor to be, &c.,

COUNCIL CHAMBER,
The 7th January, 1856.

(Signed) G. A. BUSHBY,
Secy. to the Govt. of India.

(True Copy)

(Signed) CECIL BEADON,
Under Secretary to the Govt. of Bengal.

(True Copy)

J. G. CAMPBELL,
Controller.

2012

APPENDIX. No. 578

Miscellaneous Papers respecting Controller Salt Chowkies Calcutta

ENCLOSURE, No. 2.

(COPY.)

Calcutta, Salt Chokies
J. G. Campbell,

No. 189.

FROM

The Under Secretary to the Government of Bengal.

To

The Offg. Junior Secretary to the Board of Revenue.

Mis. Revenue Salt. *Dated, Fort William, the 18th May,* 1855.

SIR,

I am directed to acknowledge the receipt of your letter, No. 533, dated the 9th Instant, and in reply, to inform you, that under the explanation therein given, and with advertence to the testimony which the Board bear to Mr. Campbell's efficient performance of his duties, during the 4 months for which he held office in 1853-54, and during the whole of the year just concluded, the Lieutenant Governor now complies with that Officers application for increased allowances, and authorises the full salary assigned to the appointment of Controller of Salt Chokies, viz. Rupees 30,000 per annum, to be drawn by him from the 1st Instant.

2nd. The original enclosures of your letter are returned, copies having been kept for record in this office.

I have, &c.,

(Signed) HODGSON PRATT,

Under Secy. to the Govt. of Bengal.

No. 573.

Salt.

W. DAMPIER, ESQ.

Copy forwarded to the Controller of Salt Chokies, with reference to his letter, No. 376, dated the 18th ultimo.

By order of the Board of Revenue.

FORT WILLIAM,
The 23rd May, 1856.

(Signed) H. V. BAYLEY,

Offg. Junior Secretary.

(True Copy)

J. G. CAMPBELL,

Controller.

2014

APPENDIX. No. 5.7.8

Miscellaneous Papers respecting Controller Salt Chowkies Calcutta

ENCLOSURE, No. 3.

Calcutta, Salt Chokies Office, J. G. Campbell, Esq.

Statement exhibiting the duties and responsibilities of the Controller of Government Salt Chokies, furnished to the Commissioner for the Revision of Civil Salaries and Establishments throughout India, in conformity with his letter, No. 20, dated 29th March 1850, to the address of the Officiating Junior Secretary to Board of Revenue.

The jurisdiction of the Controller extends from Chittagong to Jellasore, and includes all Government Chokies in the Ten Divisions of Calcutta, Western, Bariessore, Jessore, Bangundy, Backergunge, Bhullooah, Chittagong, Midnapore, and Jellasore.

The duties of the Controller are as follows.

First. He exercises a general Superintendence and Control over the whole of the Superintendents, Assistant Superintendents, and Chokey Establishments of the aforesaid Divisions, and has the powers of the Board in all cases of Appeal, and of passing Contingent, Travelling and Reward Bills, and various miscellaneous charges to any amount, but in general matters is subject to the orders of the Board. He is expected to visit at irregular times the Stations of the several Chokey Superintendents, and as far as practicable, every preventive post. To ascertain by local enquiry and observation, the extent of smuggling, or the cause of any falling off in the local sales whether of Rowannah or of Retail Salt. To enquire into and redress any well founded complaints, and if necessary, to bring them to the notice of the Board. To correct abuses or any objectionable practices unauthorised by Law, and to suggest any measures necessary for the prevention of smuggling, or calculated to improve the efficiency of the Chokies. To visit occasionally Ships in the River Hooghly, discharging Cargoes, and to grant passes for Salt taken on Government Vessels for the diet of Crews, Troops.

Secondly. To satisfy himself as to the regularity of the proceedings of the Chokey Superintendents. To enquire into the means of Control and Supervision exercised by those Officers over their respective Chokey Establishments, and to ascertain that such Control is duly maintained.

Thirdly. To receive Periodical Reports from the Chokey Superintendents, of Seizures, Sales, and Rewards, and all statements of cases pending or decided, and to place them when necessary before the Board, with such remarks as they may appear to require.

Fourthly. To inform himself on all points connected with the proper working of the Salt Chokey system, and from time to time, to propose such measures as may appear to him calculated to give full effect to the Salt Laws, and to check illicit manufacture or illicit traffic in Salt ; and (within the limits of the Chokies) to make himself familiar with the general state of the Salt market, the description of Salt sold, and the prices of the article ; bringing to the notice of the Board, any instances that may come to his knowledge of inadequate local supplies, of inordinate high prices, or of excessive adulteration by the admixture of Puckwa, or Kharee Salt, or other foreign substances.

2016

APPENDIX. No 578

Miscellaneous Papers respecting Controller Salt Chokies Calcutta

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Calcutta, Salt Chokies Office, J. G. Campbell, Esq.

Fifthly. To report on cases of loss of Salt by boat wreck, in which re-delivery or refund of customs duty on the Salt lost, is claimed.

Sixthly. To supervise the manufacture of Salt under the excise system, under the Rules promulgated by the Board of Revenue, on the 25th September 1854.

J. G. CAMPBELL,

Controller.

APPENDIX No. 578

Miscellaneous Papers respecting Salt Agent., Balasore.

No. 49.

Balasore, Salt Agent's Office, V. H. Schalch, Esq.

FROM

The Offg. Salt Agent of Balasore.

To

HENRY RICKETTS, Esq.,

Commissioner for the Revision

of Civil Salaries and Establishments

throughout India,

Calcutta.

Balasore, Salt Office, the 24th June, 1856.

SIR,

I have the honor to forward direct, by order of the Offg. Junior Secretary to the Board of Revenue, the information called for in your letter, No. 20, of the 29th March 1856, respecting the duties, responsibilities, and salary attached to the Office of Salt Agent of this District, as succinctly as possible.

2. The Salt Agent has, 1st, the Superintendence of the manufacture of about Seven Lacs of Salt annually, extended over a coast of 80 miles in length, divided into 7 Aurungs, with an Establishment as per Statement annexed.

2nd. The Superintendence of the export of 5 lacs annually, to the Sulkeagolahs from 11 export Golahs.

3rd. The Superintendence of the transport and sale of Salt for the consumption of the District, amounting annually to about 1½ lac, disposed of at the retail Sale Golahs and 8 preventive Golahs, by an Establishment as per above Statement.

4th. Responsibility of a Treasury whose receipts and disbursements for the past year amounted to Company's Rupees 6,38,935–7–9 each.

5th. As Superintendent of Salt Chokies, the Salt Agent tries all cases of contravention of the Salt laws, and has the Superintendence of 20 preventive Chokies with an Establishment as per above Statement.

Statement No. 2 shews the amount of work performed by him in these capacities.

The Salt Agent receives consolidated allowances of 2,333–5–4 per mensem, for his various duties as Collector, Magistrate, Supt. of Tributary Mehols, Collector of Customs, and Superintendent of Salt Chokies.

Say the pay he receives, as Collector of Revenue and of Customs, should equal that

2018

APPENDIX. No. 579

Miscellaneous Papers respecting Salt Agent, Balasore.

Balasore, Salt Agent's Office, V. H. Schalch, Esq.

of a Collector in another District, this would give 416–10–8 Rupees, as his extra pay as Magistrate, Asst. Supt. Tributary Mehols, Salt Agent and Supt. of Salt Chokies, that is, Rupees 208–5–4 for his extra allowance as Salt Agent and Supt. of Salt Chokies.

Or say he receives, as Collector of Revenue and Customs Magistrate, and Asst. Supt. Tributary Mehols, (in the latter capacity he often has a good deal of troublesome work,) the pay assigned to a Collector and Magistrate in the N. W., Company's Rupees 2,250, then, his ordinary pay for the above stated work, as Salt Agent and Supt. of Salt Chokies, will be Rupees 83–5–4 a month!

In either view of the case, can the present salary be considered high or capable of deduction?

I have the honor to be, Sir,

Your most Obedient Servant,

(Signed) V. H. SCHALCH,

Offg. Salt Agent.

APPENDIX. No. 579

Miscellaneous Papers respecting Salt Agent, Balasore.

ENCLOSURE, No. 1.

Balasore, Salt Agent's Office, V. H. Schalch, Esq.

STATEMENT No. 1.

MANUFACTURING ESTABLISHMENT.

No. of Durogahs.	No. of Mohurers.	No. of Chupprasees, Zilladars, &c.	No. of Choleeah and Mohurghees.	
7	17	375	13,958	

RETAIL SALE ESTABLISHMENT.

No. of Durogahs.	No. of Sale Mohurers.	No. of Chupprasees, &c.	
2	10	55	

SUDDER ESTABLISHMENT.

No. of Writers.	No. of Omlahs.	No. of Chupprasees.	
3	21	10	

PREVENTIVE ESTABLISHMENT.

No. of Sub-Inspectors.	No. of Jemadars.	No. of Chupprasees, &c.	
2	21	254	

(Signed) V. H. SCHALCH,

Offg. Salt Agent.

2020

ENCLOSURE, No. 2.

STATEMENT, No. 2.

Business performed by the Salt Agent, and as Superintendent of Salt Chokies, during the year 1855-56.

Reports heard and orders passed thereon,	10,106
Petitions do. do.	1,627
Rubacarees issued,	132
Cases in Contravention of Salt laws disposed of	180
Total	12,045

V. H. SCHALCH,

Offg. Salt Agent.

Balasore, Salt Agent's Office, V. H. Schalch, Esq.

2021

2022

APPENDIX No. 580

Salt Department. Balasore

STATEMENT shewing the average amount which passed through the hands of the Salt Agent of Balasore, from 1st October, 1850 to 30th September, 1855, being five years prepared in accordance with the orders of the Board of Revenue, No. 849, dated 13th August, 1856.

Years.	Receipts.			Disbursements.			Remarks.
1st October 1850 to 30th September, 1851.	5,74,872	4	0	5,68,721	5	4	
Ditto 1851 Ditto, 1852.	8,16,874	14	0	7,79,108	11	0½	
Ditto 1852 Ditto, 1853.	4,60,396	2	5	5,14,232	6	6	
Ditto 1853 Ditto, 1854.	10,04,301	8	3	10,00,841	4	11	
Ditto 1854 Ditto, 1855.	6,03,492	6	4	5,85,171	13	8	
Total.....	34,59,937	3	0	34,48,075	9	5½	
Average per Annum.....	6,91,987	7	0	6,89,615	1	10½	

E. E.

V. H. SCHALCH,
Officiating Salt Agent.

Balasore, Salt Office, the 30th August, 1856.

Sanders, Cones and Co., Typs., No. 23, Loll Bazar.

2024

APPENDIX No.

Salt Department.

STATEMENT shewing the number of persons of all classes and kinds employed under the Salt Agent during the last five years prepared in accordance with the orders of the Board of Revenue, No. 849, *dated* 13*th August*, 1856.

Persons of Classes.	As it stood on.					Remarks.
	1st May, 1852.	1st May. 1853.	1st May. 1854.	1st May. 1855.	1st May. 1856.	
Assistants	3	3	3	3	3	
Sub-Inspectors	0	0	0	2	2	
Clerks	3	3	3	3	3	
Sudder Amlahs	15	15	15	18	18	
Dufteries	2	2	2	2	2	
Poddar	3	3	3	2	2	
Darogahs	11	11	13	9	9	
Mohurers	39	39	38	27	27	
Jemadars	20	20	20	21	21	
Zilladars	45	45	60	58	54	
Chutteepaiks	116	116	158	148	140	
Chuppadars	21	21	25	22	18	
Bearers	46	46	56	54	66	
Chuprassies	304	304	314	340	334	
Burkundazes	8	8	8	10	10	
Goolpowroos	21	21	28	28	22	
Fuel-watchers	32	32	40	28	22	
Serangs and Manjees	14	14	18	38	34	
Chowkeydars	0	0	0	0	6	
Dâk Runners	21	21	24	22	22	
Total	724	724	828	835	815	

E. E.

V. H. SCHALCH,
Officiating Salt Agent.

Balasore, Salt Office, the 30*th August*, 1856.

Sanders, Cones and Co., Typs., No. 23, Loll Bazar.

2026

APPENDIX. No. 582

Miscellaneous Papers respecting Salt Agent, 24 Pergs

No. 109.

Allipore, Salt Agent's Office, F. A. Lushington, Esq.

FROM

The Offg. Salt Agent of 24 Pergunnahs.

To

HENRY RICKETTS, Esq.,

Commissioner for the Revision of Civil Salaries and Establishments.

Dated, Allipore, 26th June, 1856.

SIR,

With reference to your letter, No. 20, dated 29th March last, to the address of the Offg. Junior Secretary to the Board of Revenue, I have the honor to inform you, that the duties of a Salt Agent are as follows.

2. Superintending the provision of Salt; making advances from time to time, to each individual Molunghee, with reference to his means, taking responsible security from him for the due fulfilment of his engagement; appropriating suitable lands for the manufacture of Salt, and adjusting the rents thereof; seeing that the Molunghees are making preparations in due course, by collecting fuel, &c., for the commencement of the manufacturing operations; keeping a vigilant control over his subordinates for the proper superintendence of the manufacture, and prevention of smuggling; taking proper precautions, that the quantity of Salt contracted for, be duly manufactured, and no outstanding balances allowed to accrue; adopting measures for the transportation and storage of Salt into the Golahs; causing the Salt to be properly weighed, and locked up in the said Golahs; adjusting the accounts of the individual Molunghees; realizing any outstanding balances from the Molunghees by the process of distraint; delivering Salt to Merchants bringing Rowannahs from the Board; adjusting the Golah Accounts; recovering the value of the Salt found to be deficient in the Golahs, from the Golah Darogahs, if there be any such deficiency; hearing complaints of the Molunghees, Salt Merchants, and others connected with Salt manufacture, examining the balance of Cash in the Treasury and the accounts; conducting and defending Suits in the Civil Courts on the part of Government in the Salt Department.

3. These are the principal duties of a Salt Agent, to conduct which carefully and properly, he has to go through the multifarious details connected with each Department of his duties, which have been omitted here, according to the instructions contained in the last para. of your letter.

4. The responsibilities of a Salt Agent are not distinctly laid down in the Salt Laws, except that he shall be liable to be dismissed from his office by the Governor General, if he shall compel, or use any means, or cause any of his officers, or others, to compel any Molunghee, &c. to receive advances, or to contract for, or engage in the provi-

Allipore, Salt Agent's Office, F. A. Lushington, Esq.

sion of manufacture or transportation of Salt; but he is of course responsible for the due discharge of all the duties entrusted to his superintendence.

5. As to the pecuniary responsibility of a Salt Agent, the Salt Law is silent on the point; but it must be understood, that if any loss be occasioned to Government by his carelessness and neglect, in taking sufficient and responsible securities from the Treasurer, and the Poktan and Golah Darogahs, either in consequence of a defalcation in the Treasury, deficiency in the Golahs, or non-realization of the outstanding balances from the Molunghees, the Agent must be held personally responsible for the same.

6. By order of the Government of India, No. 3186, dated 15th August 1855, the appointment of the Collector of this District, as also Salt Agent of it, was sanctioned on a consolidated salary of Rs. 28,000 per annum, of which Rs. 23,000 has been assigned as the pay of the Collector, and Rs. 5,000 as that of the Salt Agent, which latter being too little for the multifarious and responsible duties assigned to the Salt Agent of this District, no decrease can be made in it, but rather an increase is called for, if any alteration be considered necessary in the standard of Salary now allowed.

I have the honor to be, Sir,

Your most Obedient Servant,

F. A. LUSHINGTON,

Offg. Salt Agent.

APPENDIX No. 583

Salt Department. 24 Pergunnahs.

No. 135.

FROM

THE OFFICIATING SALT AGENT OF THE 24-PERGUNNAHS,

TO

HENRY RICKETTS, ESQUIRE,

Commissioner for the revision of Civil establishments and salaries,

NYNEE TAL.

Dated, Allipore, 25th August, 1856.

SIR,

Under the orders of the Board, No. 849, dated 13th Instant, I have the honor to forward direct a statement of the average amount which passed through my hands, and the number of persons of all classes and kinds employed under me, since the re-establishment of the Agency from the 1st August, 1855.

I have the honor to be,
Sir,
Your most obedient servant,
F. A. LUSHINGTON,
Officiating Salt Agent.

Statement shewing the average amount passed through the hands of the Salt Agent of the Twenty-four Pergunnahs, and the number of persons of all classes and kinds employed under this Agency from the date of its re-establishment, viz. 1*st August,* 1855, *to* 20*th August,* 1856.

1.	Fixed Establishment	24,100	6	5
2.	Temporary Ditto	134	10	4
3.	Contingencies	18,406	11	3
4.	Law Charges	615	13	6
5.	Advances for Salt manufacture	2,09,053	0	0
	Total Co.'s Rs....	2,52,310	9	6

SUDDER ESTABLISHMENT.

	Total No. of persons employed.	
English Department	6	
Native Department	11	
Treasury Ditto	3	
Nazir's Ditto	22	
		42
POKTAN OMLAH.		
Aurung Tuffaul	26	
Ditto Baharboon	56	
Ditto Dessee Eastern Division	40	
Ditto Ditto Western Ditto	40	
		162
GHAUT OMLAH.		
Bagundee	24	
Dhosa	23	
		47
Bahargustee Ameen with his Establishment		3
Grand Total....		254

E. E.

F. A. LUSHINGTON,
Officiating Salt Agent.

24-*Pergunnahs, Salt Agency,*
The 25*th August,* 1856.

Sanders, Cones and Co., Typs., No. 23, Loll Bazar.

2050

APPENDIX. No 524

Miscellaneous Papers respecting Salt Agent, Cuttack.

No. 114.

Cuttack, Salt Agent's Office, R N Shore, Esq.

FROM

The Salt Agent of Cuttack.

To

H. RICKETTS, ESQ.,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

FORT WILLIAM,

Dated, Cuttack, the 30th June, 1856.

SIR,

I have the honor in conformity with your letter to the Sudder Board, No. 20, of the 29th March, (copy of which was received by me on the 18th Instant,) to submit to you direct, the following Statement of the duties and responsibilities, of the Office of the Salt Agent of Cuttack.

2nd. The duties of the Salt Agent are, first to manufacture (through his Subordinate Native Officers) Salt. 2nd, to store the Salt when manufactured. 3rd, to export or sell it. 4th, to suppress smuggling, whether by illicit manufacture, or illicit sale. 5th, to keep the accounts of the Agency, and pay over to the Collector all surplus monies, that accumulate from time to time in his hands.

First. For the manufacture of Salt. This is carried on along the whole sea coast, a length of about 72 Miles. There are 7 Manufactories, or Aurungs, each superintended by a Darogah, who is paid from 40 to 70 Rupees a month, according to the size of the Aurung. The manufacture commences in December, and usually terminates at the end of May. The quantity to be manufactured varies with the taidad or indent by the Board of Revenue, but the Agent has rarely of late years, and since the reduction of the rate paid to the Molunghees, been able to exceed 3 lacs, as will be seen by the following comparative Statement for the last 10 years.

Year of Manufacture.	No. of Aurungs.	Taidad.	Quantity Manufactured.		
1845-46	9	2,00,000	2,05,131	0	0
1846-47	6	2,00,000	2,22,360	0	0
1847-48	6	1,75,559	1,75,261	0	0
1848-49	6	2,00,000	1,62,386	0	0
1849-50	6	2,00,000	2,14,800	0	0
1850-51	6	3,00,000	2,44,407	0	0
1851-52	6	2,00,000	1,37,424	0	0
1852-53	5	1,75,000	1,57,014	0	0
1853-54	5	4,05,000	2,68,715	0	0
1854-55	7	5,36,345	2,11,983	0	0

APPENDIX. No. 524

Miscellaneous Papers respecting Salt Agent, Cuttack.

Cuttack, Salt Agent's Office, R. N. Shore, Esq.

Secondly. Storage of Salt. There are no peculiar difficulties under this head; but incessant vigilance and severity is necessary, to prevent the Darogahs and Contractors between their delaying the transport of the Salt to the Golahs, where it is stored, either for sale or shipment to Calcutta; and any neglect or want of judgement in this Department, may entail most serious losses on Government.

Thirdly. The inland transport is effected by contract. It is the Agent's business to procure Contracts, to satisfy himself that the Contractors are men of sufficient character and substance, to afford a reasonable hope that they will fulfil their Contracts, to watch their proceedings from day to day, and himself to undertake the works, if, as may often happen, they break down. Finally he is liable to the responsibility of having to prosecute the Contractors in the Civil Court for damages, owing to breach of Contract. The conditions of the export to Calcutta, are somewhat similar; but the operations here are so large a scale, that the Contract is in fact a monopoly in the hands of one or two monied men; and the risks and difficulties are smaller.

Fourth. The preventive Establishment, consists of 6 Chowkies or Outposts, two river Patrols, and a river Inspector on 100 Rupees a month. The business of this Establishment, is to prevent the passage of illicit Salt, from the Aurungs into the interior of the District; and also to prevent the illicit manufacture itself. The number of men punished last year, by the Agent, and his Assistant or Deputy, for breach of the Salt laws, was 388.

Fifth. For the accounts. The Agent is of course responsible for every Rupee sent and received. To give an idea of the extent of the responsibility thus entailed on him, I subjoin an Abstract of the result of the operations of the Department in 1853-54. The accounts for 1854-55, are not yet made up.

Market value of Salt manufactured viz.									
3,03,724 Mds...							Rs.	5,72,242	0 0
Deduct charges, viz.									
1st Manufacturing charges...					1,50,394	0	0		
Export	do.				16,697	0	0		
Sale	do.				22,721	0	0		
Preventive	do.				2,890	0	0	1,92,702	0 0
				Remains...				3,79,540	0 0
Less wastage...								8,556	0 0
Net Profit...								3,70,984	0 0

For the discharge of all the duties above detailed, the Agent receives a salary of

APPENDIX. No. 584.

Miscellaneous Papers respecting Salt Agent, Cuttack.

Rs. 777, 12 Annas, 5 Pie per mensem, being the proportion (1-3) debited to the Salt Department, out of his consolidated allowance as Magistrate, Collector, and Salt Agent. He has under him an Uncovenanted Assistant, and occasionally a Covenanted Deputy. It will be seen, that the proportion borne by his salary, to the market value of the Salt produced in 1853-54, was about 1½ per cent. to the net profit 2½, and to the total charges 5 per cent. The per centage must however vary according to the quantity of Salt manufactured, and the rate of the cost price paid to the Molunghees.

Cuttack, Salt Agent's Office, R. N. Shore, Esq.

I have the honor to be, Sir,

Your most Obedient Servant,

R. N. SHORE,

Salt Agent.

2034

APPENDIX No. 585

Salt Department. Cuttack

No. 143.

FROM

THE SALT AGENT OF CUTTACK,

TO

H. RICKETTS, ESQUIRE,

Commissioner for the revision of Civil salaries and establishments throughout India,

NYNEE TAL.

Dated, Cuttack, the 22nd August, 1856.

SIR,

Under instructions from the Sudder Board, I have the honor to submit a statement shewing the amount that has passed through the Salt Agent's hands, and the number of persons of all classes employed under the Salt Agent, calculated on an average of the last five years.

I have the honor to be,

Sir,

Your most obedient servant,

R. N. SHORE,

Salt Agent.

Statement of the amount that has passed through the Salt Agent's hands, and of the number of persons employed by him on average of the last five years:

Annual average of receipts calculated on the last 5 years 1851-52 to 1854-55 Rs.	3,66,102	7	6
Annual average of disbursements calculated on the last 5 years.....Rs.	1,52,400	0	0
Annual average number of persons of all classes employed in the Agency calculated on the last 5 years.....	404	0	0

Note. The receipts and disbursements do not include transfers of account, but actual *bonâ fide* receipts and payments.

E. E.

R. N. SHORE,

Salt Agent.

Sanders, Cones and Co., Typs., No. 23, Loll Bazar.

2036

APPENDIX No. 586

Salt Department. Pooree

No. 105.

FROM

A. S. ANNAND, ESQUIRE,
Salt Agent of the Southern Division.

To

H. RICKETTS, ESQUIRE,
Commissioner for the revision of Civil salaries and establishments throughout India.
Ninee Tal, North Western Provinces.

Pooree, Salt Office, the 1st September, 1856.

SIR,

Under the instructions of the Officiating Secretary to the Board of Revenue contained in his letter No. 849, of the 13th August last, I have the honor to forward an average statement of the amount, which passed through my Agency, and the number of persons of all classes and kinds employed therein during the last five years.

I have the honor to be,

Sir,

Your most obedient Servant,

A. S. ANNAND,

Salt Agent.

Sanders, Cones and Co., Typs, No. 23, Loll Bazar.

20.38

APPENDIX No. 586

Salt Department. Porce

Statement showing the average amount of expenditure, and the number of persons of all classes and kinds employed under the Salt Agent of the Southern Division of Zillah Cuttack, during the last five years.

1		2		3		4		5		6		7		8		9	
Covenanted and Uncovenanted Officers employed on the Agent's establishments.		English Writers & Omlah, including Chupprassees and others employed on the Sudder Establishment.		Omlah, including Chupprassees and Burkundauzes employed on the Mofussil establishment.		Contractors employed in transporting Salt to Sulkea and Sale Golahs.		Zemindars who received the value of the Khoorakee Salt and Revenue.		Molunghees employed in making Salt.		Boatmen employed in transporting Salt to sale Golahs and Chowkees and shipping vessels.		Carters and Coolies employed in transporting and removing Salt, making embankments on the manufacturing places thatching and repairing the Salt heaps and Aurungs, &c.		Total.	
No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount	No.	Amount.	No.	Amount.	No. of Persons.	Amount expended.
2	3,236 7 2½	25	6,330 0 1¼	403	19,901 2 10	4	50,797 4 8	44	30,006 14 11¾	8,084	1,36,124 15 10¼	2,938	16,642 2 7¾	3,500	4,424 2 10½	15,000	2,67,463 3 2

A. S. ANNAND,

Salt Agent.

Sanders, Cones and Co., Typs, No. 23, Loll Bazar.

2059

2040

APPENDIX. No. 587

Miscellaneous Papers respecting Salt Agent, Hidgelee

No. 136.

Calcutta, Salt Agent's Office, G. W. Battye, Esq.

To

H. RICKETTS, Esq.,

Commissioner for the Revision

of Civil Salaries, &c.,

Sir,

I have the honor to submit the information called for in your letter to the Board of Revenue, No. 20, dated 29th March, received from the Board on the 17th June. Your separate No. 345, dated 3rd July, to my address, directs the information may be given in a form which is herewith sent.

The Statement of Business annexed, together with the circumstances noticed in Col: 4, of your form, will, I trust, be considered as affording sufficient reason, why no *alteration* should be made in the salary now allowed to the Agent.

I have the honor to be, Sir,

Your most Obedient Servant,

Hijellee Salt Office, Calcutta,
The 13th August, 1856.

G. W. BATTYE,
Salt Agent.

2042

APPENDIX No. 587

Miscellaneous Papers respecting Salt Agent, Hidgelee

ENCLOSURE, No. 1.

Calcutta, Salt Agent's Office, G. W. Battye, Esq.

Details of Hijellee Salt Agency Business in a Year.

Number of Petitions and Exports, ...		6,625.
No. of Kyfeuts		4,252.
No. of Bengalee Statements, Accounts, &c.		4,672.
No. of English Statements, &c., sent up, ...		467.
No. of English Letters sent		369.
No. of English Receipts given		128.
No. of Drafts granted for Money		55.
No. of Advices of do. do.		55.
No. of Cases		246.
No. of Perwannahs		2,626.
No. of Rubokarees or Proceedings		755.
No. of Engagements and Security Bonds		269.
No. of Receipts filed		2,807.
No. of Statements, &c., of measurement of lands		101.
No. of Treasury Warrants...		1,029.
No. of Rowannahs passed for Salt		1,912.
No. of Churs for Rowannahs		1,258.
No. of Chellauns issued for do.		2,099.
No. of Register of do. do.		200.
No. of Receipts and Certificates granted for Land Revenue payments		1,420.
No. of Dakhillahs or Receipts granted for other payments. ...		258.
Amount supplied to the Executive Officers of Northern and Southern Divisions of Hijellee in 1855-56, Rs.	4,28,380.	
Amount of Land Revenue, &c., received on account of Midnapore Collectorate, Rs.	3,74,770.	

HIJELLEE SALT OFFICE, CALCUTTA,
The 13th August, 1856.

G. W. BATTYE,
Salt Agent.

2044

APPENDIX No. 588

Salt Department. Hidgelee

No. 144.

FROM

THE SALT AGENT OF HIJELLEE,

TO

HENRY RICKETTS, ESQUIRE,

Commissioner for the revision of Civil establishments and salaries,

Dated the 22nd September, 1856.

SIR,

In conformity with the instructions of the Board of Revenue, No. 849, of the 13th ultimo, I have the honor to furnish you with an average statement of the amount of salaries expended, and the number of persons of all classes and kinds employed in the Salt Agency of Hijellee, during the last five years, from 1851-52 to 1855-56.

I have the honor to be,

Sir,

Your most obedient Servant,

J. W. BATTYE,

Salt Agent.

Average Statement showing the amount of salaries expended, and the number of persons of all classes and kinds employed in the Salt Agency of Hijellee, during the last five years, from 1851-52 to 1855-56, *with the exception of the Salt Agent's salary.*

	1851-52	1852-53.	1853-54.	1854-55.	1855-56.	Total.	Average per Annum.
Number of persons of all classes and kinds employed	917	931	1,182	1,246	1,185	5,461	1,092
Amount of salaries expended, fixed, and temporary	52,762 3 7	51,479 15 5	54,992 0 9¼	62,035 11 10	59,649 3 2½	2,80,919 2 9¾	56,183 13 4¼

E. E.

J. W. BATTYE,

Salt Agent.

Sanders, Cones and Co., Types., No. 23, Lall Bazar

2046

APPENDIX. No. 589

Miscellaneous Papers respecting Salt Agent, Tumlook.

No. 16 A.

Tumlook, Salt Agent's Office, R. Hampton, Esq.

FROM

The Salt Agent of Tumlook.

To

H. RICKETTS, Esq.,

Commissioner for the Revision

of Civil Salaries and Establishments

in India.

The 3rd September, 1856.

SIR,

I had the honor to receive, on the 17th of June last, copy of your letter, No. 20, dated the 29th of March 1856.

2nd. In the 2nd Para. of your letter, I am required to shew all the cause I can, why no alteration should be made in the standard of salary now drawn by the Agent.

3rd. The appointment of Salt Agent is considered by some to be almost a sinecure, but I contend that it is nothing of the kind, if the Agent performs his duties properly. If the Agent had to deal with large Contractors for the supply of Salt, it might then be said, with some degree of truth, that he had little to do, but when it is considered, that his dealings are with the Manufacturers, who number about 20,000 Individuals, and the majority of whom are a low and illiterate set, it will not be difficult to understand, that his appointment is no sinecure. It is well known, that the Molunghees carry on the Manufacture with advances received from Government, and it is equally well known, that many commercial transactions in this country, carried on through the system of advances, are attended with practices unfair to those who receive the advances. The Manufacture of Salt is of that number. It is true that the Molunghees receive their advances, either in the presence of the Agent or his Assistant, but no sooner o they arrive at their Khullaries, than they are fleeced of a portion of those advances to a greater or less degree. This system of extortion, I think, is not carried on so barefacedly as it was, but it would be idle to say that it does not exist. Many are the complaints on this head, and it requires no little consideration on the part of the Agent, to determine those that are true, from those that are false, for the complainants are of the lowest order, and they would just as soon tell a falsehood as the truth. I presume therefore, it will be conceded, that it requires an Officer of standing, and possessing a knowledge of the native character, to deal with such cases.

APPENDIX. No. 589

Miscellaneous Papers respecting Salt Agent, Tumlook.

Tumlook, Salt Agent's Office, R. Hampton, Esq

4th For five months during the year, owing to the unhealthiness of the climate of Tumlook, the Agent is obliged to reside at Calcutta, so that the expenses incidental thereon, and the extra charges incurred at Tumlook throughout the year, reduce in point of fact, the salary of the Agent, from Rupees 30,000, to about 27,000 per annum.

5th The statement called for in your letter, No. 345, dated the 3rd July last, will be forwarded in a few days, and will furnish in detail the duties of this office.

I have the honor to be, Sir,

Your most Obedient Servant,

TUMLOOK SALT OFFICE AT CALCUTTA.

R HAMPTON,

Agent.

APPENDIX N°590

Salt Department. Tumlook

No. 21. A

FROM

THE SALT AGENT OF TUMLOOK.

TO

H. RICKETTS, ESQ.,

Commissioner for the revision of Civil salaries and establishment in India.

The 9th September, 1856.

SIR,

With reference to a letter No. 849, of the 13th ultimo, addressed to me by the Officiating Secretary to the Board of Revenue, I have the honor to forward to you herewith an average statement of the amount which passed through the hands of the Tumlook Salt Agent, and the number of persons of all classes and kinds employed under him during the last five years.

I have the honor to be,

Sir,

Your most obedient Servant,

R. HAMPTON,

Agent.

Statement showing the average amount which passed through the hands of the Salt Agent of Tumlook, and the number of persons of all classes and kinds employed under him, during the last five years, viz. from October 1850 *to September* 1855.

Average amount per annum.	Average number of persons per annum.
*4,94,399 8 7	16,196†

R. HAMPTON,

Agent.

* This amount is exclusive of Rs. 25,36,713-5-4, the average value per annum of Salt stored and delivered during the last five years.

† Inclusive of Molunghees and Coolies.

Sanders, Cones and Co., Typs., No. 23, Loll Bazar.

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APPENDIX. No. 591

Miscellaneous Papers respecting Salt Agent, Chittagong.

No. 94.

Chittagong, Salt Agent's Office, C. Chapman, Esq.

FROM

The Salt Agent of Chittagong.

To

H. RICKETTS, ESQ.,

Commissioner for the Revision

of Civil Salaries and Establishments

throughout India.

NYNEE TAL.

Dated, the 29th July, 1856.

SIR,

With reference to your letter, No. 20, under date the 29th March last, to the address of the Junior Secretary Board of Revenue, copy of which was forwarded to me with the Board's letter, No. 593, of the 14th Ultimo, I have the honor to submit the following Statement of the duties required from the Salt Agent of Chittagong.

1st. The Agent has to arrange and enter into Contracts with the Molunghees for the yearly manufacture of Salt. To pay them advances to the amount of 10 annas on their Contract, between the months of September and November. These advances are acknowledged at the time before the Agent. To visit the manufacturing Churs during the season, to pay further advances, and to test the intermediate advances, paid by the Superintendents under his orders. To decide any disputes that may have arisen, and to pass orders on any petitions presented by the Molunghees. To visit the Churs and see that the manufacture is progressing in a satisfactory manner.

2ndly. The Agent has to make contracts with Mangees, for the transport of Salt from the Churs to the Sudder Golahs. From 200 to 350 engagements are made. The Mangees receive their advances separately, and after every trip, each advance being acknowledged before the Agent, when in the Station, or tested on his return. The final settlement takes place at the close of the Amdanee weighments. He has also to arrange for the transport of the Salt from the Chur Golahs, to the boats, and from the boats to the Golahs. To engage for deepening Khalls, and raising embankments on the Churs. To procure a supply of Putnees or pots, and to make advances when necessary, for firewood, and finally after the weighments are completed, to settle accounts with the Molunghees and different Contractors. Also to look after the repairs of the Golahs, &c.

3rdly. The Agent has to make every year Contracts for the import of Salt, from

APPENDIX. No. 591

Miscellaneous Papers respecting Salt Agent, Chittagong.

Chittagong, Salt Agent's Office, C. Chapman, Esq.

Madras, and Arracan, to the extent of from 2 to 3,00,000 of Maunds. To investigate into all cases of short deliveries and imports, as also losses of Salt, and to adjust the accounts with the owners of each Vessel.

4thly. To look after the delivery of about 1,00,000 of Maunds exported annually to Bhullooah, for the supply of the Retail Golahs there, to supply from 1,60,000 to 1,80,000 annually for the Retail consumption of the district, to sign the Passes, &c., for the Bhullooah Exporters and the Pykars, &c., of this district. To look after the delivery of Pungah Salt to wholesale purchasers, to sign Chellauns and Rowannahs, &c., and to sign the delay weighment, papers or tallies, both for Import and Export.

5thly. To investigate cases of contravention of the Salt Laws. To defend and carry on Law suits, and correspond with the Board of Revenue, Superintendents of Salt Chokeys, of Chittagong and Bhullooah, Commissioner of Arracan, Superintendents of Manufacture, &c. To sign authorities for payments, as also the Warrant books, and to exercise a general control over the large establishment attached to the Agency, besides receiving and examining reports from the Aurungs, weekly Statements of Manufacture,&c.

6th. During the recess, the Agent is relieved of a small portion of these duties, by one of his Superintendents, who signs the daily weighment papers, and passes, for retail Pykars, but in the cold season, the whole of the general control at the Sudder Ghaut remains with the Agent.

7th. The duties performed by the Salt Agent of Chittagong, are much heavier than those of the Salt Agents at Hidgellee, and Tumlook, and the responsibility here is greater. With reference to the additional work, I may allude to the annual contracts for the Import of Arracan, and Madras Salt, and the Export supply of about 2,80,000 to 3,00,000 maunds every year, for the retail sales of Chittagong, and Bhullooah, and especially to the former, since the abolition of most of the retail Golahs, and the introduction of the Pykar system. Both Import and Export weighments are going on daily throughout the year, and at the present time about 19 scales are in daily use. The system of paying each boatman and Contractor separately, also adds greatly, not only to the Agent's work, but also to that of the office.

8th. With regard to the extra responsibility; at Hidgellee and Tumlook, advances are paid to the Molunghees, a short time prior to the commencement of the manufacture, and no 2nd advance is made, until the advances are worked off, whilst in Chittagong, it is necessary to pay an advance of 10 annas on a 400 maund contract, to each Choolah, a long time prior to the manufacture, and even more of late years, caused by the dearth of Coolies. Further advances have to be made during each spring, to enable the Molunghees to purchase firewood, &c., and it is impossible to find out until the close of the season, whether the whole of the advances are likely to be paid off or not.

4 Annas in July or August.
6 Annas in October.

9th. I can write from 3 years experience of continued worry and anxiety, and I can conscientiously declare, that situated as the Agency at present is, and from the ex-

treme difficulty of procuring the necessary number of coolies required for transport, &c., the post of an Agent is by no means even at the present salary an enviable position.

Chittagong, Salt Agent's Office, C. Chapman, Esq.

10th. The price of every article of consumption, has risen very much of late years. Wages of Servants have increased, and added to this, an unhealthy climate. Under such circumstances, I do not consider, that the present salary of the appointment, can be considered too high.

11th. The statement received with your letter, No. 345, dated the 3rd Instant, will be forwarded as soon as it can be filled up.

I have the honor to be, Sir,

Your most Obedient Servant,

CHITTAGONG SALT AGENCY.

C. CHAPMAN,

Agent.

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APPENDIX No. 592

Salt Department. Chittagong

No. 227.

FROM

THE SALT AGENT OF CHITTAGONG,

TO

H. RICKETTS, ESQ.,

Commissioner for the revision of Civil salaries and establishments.

CALCUTTA.

Dated the 31*st December,* 1856.

SIR,

Under instructions from the Board of Revenue contained in their Officiating Secretary's letter, No. 849, under date the 13th August last, I have the honor to forward the accompanying statements of sums received and disbursed, and of the number of persons of all classes and kinds employed in this Agency during the past five years.

I have the honor to be,

Sir,

Your most obedient servant.

Chittagong, Salt Agency.

C. CHAPMAN, *Agent.*

Sanders, Cones and Co., Typs., No. 23, Loll Bazar.

2056

APPENDIX No. 592

Salt Department. Chittagong

Statement of Sums received and credited in the Chittagong Salt Agency, Cash Accounts, during the years noted below.

Period.	Received from the Collectorate as per Assignments.	Subscriptions to annuity and Civil Funds.	Golah rent and Wastage.	Profit and loss.	Sale proceeds of Salt sold at Agency, including Rowannah fees, also value of deficient Salt realised from Golah Amlah, &c.	Outstanding Balances.	Confiscations.	Realization, by Law-suits.	Deposits.	Total.	Remarks.
1851-52 ...	4,21,693 0 0	1,647 0 0	9 9 6	2,017 5 1	2,77,412 15 6	1,781 11 0	22 11 11	6,016 8 11	42,948 12 0	7,53,549 9 11	
1852-53 ...	1,39,670 10 7	1,420 9 10	11 4 6	693 12 11	2,70,884 6 1	8 0 0	86 2 0	74 7 6	15,372 5 7	4,28,221 11 0	
1853-54 ...	2,91,072 12 1	2,160 13 9	873 2 11	557 10 4	47,966 1 6	0 0 0	30 0 0	33 8 0	12,100 15 10	3,54,795 0 5	
1854-55 ...	5,05,000 0 0	2,696 4 0	2,017 13 10	3,721 14 2	14,361 9 3	1,805 3 3	0 0 0	1,935 8 11	9,962 2 10	5,41,500 8 3	
1855-56 ...	4,45,000 0 0	2,812 8 0	0 0 0	380 12 2	86,344 13 9	3,113 1 9	116 6 0	150 0 0	42,425 3 3	5,80,342 12 11	
Total	18,02,436 6 8	10,737 3 7	2,911 14 9	7,371 6 8	6,96,969 14 1	6,708 0 0	255 3 11	8,210 1 4	1,22,809 7 6	26,58,409 10 6	

Chittagong, Salt Agency Office, the 31*st December,* 1856.

C. CHAPMAN, *Agent.*

Sanders, Cones and Co., Typs., No. 23, Loll Bazar.

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APPENDIX No. 592

Salt Department. Chittagong

Statement of Sums debited in the Chittagong Salt Agency, Cash Accounts, during the years noted below.

Period.	Advances for Manufacture of Salt.	Cost of Establishments.	Miscellaneous charges.	Value of Madras Kurkutch Salt.	Freight of Arracan Pungah Salt.	Transport charges for Chittagong Pungah Salt.	Value of Salt sold to petty dealers, inclusive of Rowannah fees and Retail sale proceed remitted to the Collectorate.	Amount written off under Profit and Loss.	Repayments of Deposits.	Total.	Remarks.
1851-52 ...	2,43,563 2 9	*84,057 8 10	30,291 7 6	28,710 7 5	‡8,478 10 0	59,248 4 9	2 78,972 1 9	8,330 0 0	43,859 6 5	7,85,511 0 5	* Including the Retail Golah Establishments, and also the Chowkey Establishments of the Chittagong Superintendency.
1852-53 ...	54,718 14 8	*61,363 5 6	8,092 1 7	33,983 12 3	0 0 0	0 0 0	2,61,354 8 4	0 0 0	15,864 4 3	4,35,376 14 7	
1853-54 ...	1,85,726 14 10	43,414 0 0	20,290 6 10	0 0 0	17,925 13 10	†3,616 1 0	48,722 3 9	367 12 11	20,733 15 11	3,40,797 5 1	† This is for Salt forwarded on to Bullooah.
1854-55 ...	3,01,324 0 2	54,914 10 3	14,999 8 5	45,361 3 7	4,013 8 6	61,227 8 9	13,335 15 9	1,334 8 11	11,282 15 7	5,07,794 0 11	‡ This appertains to Salt of year 1850-51.
1855-56 ...	2,49,251 15 9	56,584 1 3	17,637 7 5	68,580 5 8	1,306 3 0	41,638 10 9	86,103 13 6	0 0 0	33,159 1 5	5,54,261 10 9	
Total	10,34,585 0 2	3,00,333 9 10	91,310 15 9	1,76,635 12 11	31,724 3 4	1,65,730 9 3	6,88,488 11 1	10,032 5 10	1,24,899 11 7	26,23,740 15 6	

Chittagong, Salt Agency Office, the 31st December, 1856.

C. CHAPMAN, *Agent.*

Sanders, Cones and Co., Typs., No. 23, Loll Bazar.

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APPENDIX N° 392

Salt Department. Chittagong

Memo. of the Number of Persons.

	Number of Persons in 1851-52	Number of Persons in 1852-53	Number of Persons in 1853-54	Number of Persons in 1854-55	Number of Persons in 1855-56.	REMARKS.
Assistant to Agent	1	1	...	...	...	
Superintendents of Manufacture	2	1	1	2	2	
English Writers	3	3	4	4	4	
Bengalee Department, Omlah...	43	13	36	37	37	
Ghaut Golah and Guard Establishment	101	88	55	55	70	
Poktanee Aurung Establishment	37	...	37	37	43	In addition to these, a number of Potters, earth-cutters, &c. are employed, of whom no record is taken.
Temporary Poktanee ditto	176	...	129	243	284	
Sudder Boat Establishment	11	...	11	11	11	
Molungees.....	7,500	...	6,000	9,600	7,500	
Dholye Manjees and Crews ...	1,272	...	1,092	1,890	1,062	
Shore Dholye people, about.....	600	...	500	900	500	
Retail Golah Establishment.....	63	63	...	...	...	
Madras Salt Importers	20	...	42	64	80	
Arracan ditto	...	...	16	5	17	
	9,829	169	7,923	12,848	9,610	

Chittagong, Salt Agency, the 31*st December*, 1856.

C. CHAPMAN, *Agent.*

Sanders, Cones and Co, Typs, No 23, Loll Bazar

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APPENDIX. No. 593

Miscellaneous Papers respecting the Behar Opium Agency,

No. 192.

Behar Opium Agency, Patna, R. B. Garrett, Esq.

FROM

The Opium Agent of Behar,

To

H. RICKETTS, ESQ.,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

NYNEE TAL.

Dated 4th October, 1856.

SIR,

As requested in the Officiating Secretary to the Board of Revenue's letter, No. 849, dated the 13th August last, copy of which is enclosed, I have the honor to forward herewith, a statement of the number of persons of all classes employed at this Agency, during the past 5 years.

2nd. The amount which has passed through my hands during the same period, has been already furnished to you, in my Statement dated the 24th July last. The average is Rupees 86,55,774 per Annum.

I have the honor to be, Sir,

Your most Obedient Servant,

R. B. GARRETT,

Opium Agent.

BEHAR OPIUM AGENCY, PATNA,
The 4th October, 1856.

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APPENDIX. No. 595

Miscellaneous Papers respecting the Behar Opium Agency,

(COPY.)

No. 849.

Behar Opium Agency, Patna, R. B. Garrett, Esq.

FROM

The Officiating Secretary to the Board of Revenue,

To

The Opium Agent,

Behar.

Fort William, the 13th September, 1856.

SIR,

I am directed to request, that you will be so good as to furnish the Commissioner for the revision of Civil Establishments and Salaries, *direct* with an average Statement of the amount which passed through your hands, and the number of persons of all classes and kinds employed under you, during the last 5 years.

OPIUM, W. Dampier, and H. Stainforth. } Esquires

You will also have the goodness, to supply the Board with a copy of the above Statement.

I have, &c.,

(Signed) E. T. TREVOR,

Officiating Secretary.

(True Copy.)

BEHAR OPIUM AGENCY, PATNA, *The 4th October,* 1856.

W. H. STERNDALE,

Officiating Head Assistant.

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APPENDIX. No. 575

Miscellaneous Papers respecting the Behar Opium Agency.

Behar Opium Agency, Patna, R. H. Garrett, Esq.

ENCLOSURE.

Statement of the Number of Persons of all Classes, employed at the Behar Opium Agency, for 5 years, viz. from 1851-52, to 1855-56.

Seasons.	Head Assistant.	Dept. Asst. Opium Agent.	Assistants.	Sub-Deputy Agents.	Assistant Agents.	Clerks.	Sheristadars.	Gomashtas.	Mohurrirs.	Mootsuddees.	Treasurers.	Poddars.	Dufturies.	Weighman.	Perkeahs.	Nazirs.	Intendants.	Surdars.	Pullodars.	Carpenters.	Black Smiths.	Furash.	Gardeners.	Orderly Jemadars.	Chuprassees.	Zillahdars.	Jemadars of Burkendaus Guard.	Naib Jemadars.	Duffadars.	Burkundazes.	Boys.	Sweepers.	Khallasies.	Durwans or Key-keepers.	Native Compounder.	Godown Temporary Establishment, and Labourers.	Remarks.
1851-52	1	1	9	11	0	41	12	49	105	79	27	2	13	3	2	4	1	8	6	1	1	3	1	6	65	514	12	4	6	320	6	9	2	1	1	Varying according to season and to operations in progress, from about 1,000 in December, to 3,300 in May.	The average amount which has passed thro' the Agents hands, during the past 5 years, has been already furnished in the statement forwarded to Mr. Ricketts on 24th July 1856. This average was Rupees 86,55,774 per Annum.
1852-53	1	1	9	11	0	41	12	49	105	78	27	2	13	3	2	4	1	8	6	1	1	3	1	3	65	511	12	4	6	320	6	9	2	1	1		
1853-54	1	1	9	11	3	41	12	51	101	104	1	12	12	1	2	12	1	11	0	0	0	1	0	1	66	599	12	4	6	363	6	12	1	0	1		
1854-55	1	1	9	11	3	41	12	51	101	104	1	12	12	1	2	12	1	11	0	0	0	1	0	1	66	599	12	4	6	363	6	12	1	0	1		
1855-56	1	1	13	11	3	41	12	51	101	104	1	12	12	1	2	12	1	11	0	0	0	1	0	1	66	599	11	5	3	307	6	12	1	0	1		

BEHAR OPIUM AGENCY, PATNA,
The 4th October, 1856.

W. H. STERNDALE,
Officiating Head Assistant.

R. B. GARRETT,
Opium Agent.

APPENDIX. No. 594

Miscellaneous Papers respecting the Benares Opium Agency,

No. 6.

Benares Opium Agency, Ghazeepore, H. C. Hamilton, Esq.

FROM

The Opium Agent, Benares.

To

H. RICKETTS, Esq.,

Commissioner for the Revision

of Civil Salaries and Establishments

throughout India.

Calcutta.

OPIUM CORRES.

GHAZEEPORE, *the 5th January,* 1857.

SIR,

I have the honor to forward you, two Statements as per margin, prepared agreeably to a letter received from the Board of Revenue, L. P., No. 849, of the 13th August last, shewing "the amount which has passed through our hands, and the number of persons of all "classes and kinds employed under me, during the past five years."

No. 1. Statement shewing the number of persons of all classes and kinds, employed during the last 5 years, from season 1851-52, to 1855-56, in the Benares Opium Agency.

No. 2. Statement shewing the average amount, passed through the Benares Opium Agent, during the last 5 years.

I have the honor to be, Sir,

Your most Obedient Servant,

HENRY C. HAMILTON,

Agent.

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APPENDIX No. 5.24

Miscellaneous Papers respecting the Benares Opium Agency,

ENCLOSURE 1.

Statement shewing the Average Amount passed through the hands of the Benares Opium Agent, during the last 5 years.

Seasons.	Amount passed through the hands of the Agent.	
1851-52	33,27,088 12 6	
1852-53	47,05,404 0 0	
1853-54	36,43,550 0 0	
1854-55	41,74,808 0 0	
1855-56	32,21,032 6 3	
	1,90,71,883 2 9	or Average per year, Company's Rupees 38,14,376 10 2.

BENARES OPIUM AGENCY, GHAZEEPORE,
31st *December*, 1856.

HENRY C. HAMILTON,
Agent.

Benares Opium Agency, Ghazeepore, H. C. Hamilton, Esq.

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APPENDIX No. 595

Judicial Commissioner in the Punjab

No. 1805.

JUDICIAL MISCELLANEOUS.

FROM

R. MONTGOMERY, ESQ.,

Judicial Commissioner for the Punjab.

To

H. RICKETTS, ESQ.,

Commissioner for the revision of Civil Salaries and Establishments throughout India.

DATED LAHORE, *the 3rd June*, 1856.

SIR,

I have the honor to reply to your letter No. 135 of the 17th ultimo.

2nd. Your first query refers to the salary of the Judicial Commissioner of the Punjab, based on the supposition that he has less heavy responsibility than a Sudder Judge of Bombay, while he receives the same salary. I will proceed to state the reasons which, in my opinion, exist for maintaining the Judicial Commissioner's salary on at least as high a scale as, if not a higher scale than, that of a Bombay Sudder Judge. It will, however, be well to premise that, I consider myself to have no personal interest whatever in the present question, inasmuch as it is presumed that the enquiries recently ordered do not affect the salaries of existing incumbents. I shall merely urge public considerations, with which I have special means of being cognizant.

3rd. Now, in the first place, it is to be observed that a Sudder Judge at Bombay is the member of a High Court, supervising the judicial administration of certain territories. But he is associated with several other members; and he acts in a corporate rather than an individual responsibility—a responsibility which he only *shares*, without exercising it solely. But the Judicial Commissioner of the Punjab territories exercises, *in his single person*, the functions of a Sudder Court; he, as *one* officer, does the work elsewhere entrusted to three or four officers and a registrar, and he *alone* supervises the judicial administration of territories scarcely inferior to those of the Bombay Presidency, containing an area of eighty thousand square miles and a population of thirteen millions of souls.

4th. But, furthermore, not only is the Judicial Commissioner alone, equal to a Sudder Court elsewhere, in his judicial capacity, but he has, also, various extra judicial functions, *superadded* to the functions ordinarily exercised by a Sudder Court. For, he commands the entire police force; he superintends all the jails; he controls the expenditure of all local funds, and the execution of all works and improvements constructed from that source; he is the general superintendent of all district roads, exclusive of the grand trunk lines; he is the supervisor of all encamping grounds, of public buildings on the main lines of roads, of all matters relating to carriage, and the march of troops; and he controls all ferries; he is the referee in respect to various public buildings such as churches, post offices, and the like. In short, his miscellaneous duties are numerous, and in the aggregate are equal to his judicial work.

5th. But it may be not amiss to give some statistics corroborative of what has been advanced in the preceding paragraphs. The number of courts are as follows. There are

Tehseel Courts.....	101
Deputy Commissioners' Courts...	27
Assistants' Courts.....	45
Extra Assistants' Courts.....	49
Commissioners' Courts.....	7
Total Courts..	229

In each court there is a criminal and a civil side. Voluminous statements are received from each court in both departments, monthly. There are about 60,000 civil suits, and also about 30,000 criminal trials held in a year. In the two departments, about 900 appeals per annum are presented to the Judicial Commissioner. In the civil department the Judicial Commissioner is the ultimate court of appeal. In the criminal he has the same powers as a Sudder Court in regard to transportation for life and capital punishment, except that before issuing a death warrant he must get the concurrent opinion of the Chief Commissioner. The police force (civil) paid by the Government, numbers 10,000 men, and this again is exclusive of the city and village watchmen. There are 29 jails and 12,000 prisoners. The local* funds amount to upwards of Rupees 9,00,000 per annum, and the number of public works executed under the Judicial Commissioner's control is not less than 500 annually of all kinds. In these territories also there are not less than about 350 ferries. Lastly, the Judicial Commissioner has to prepare and submit four general reports in each year, viz. *civil, criminal, jails* and *local improvements.*

6th. I may now have succeeded in giving some idea, perhaps an inadequate one, of the duties devolving on the Judicial Commissioner. It will at all events have become plain to you that there is no Sudder Judge in India more severely taxed than, if indeed so severely as the Judicial Commissioner of the Punjab. If salary be measured by work and responsibility, then it seems to me, that the Judicial Commissioner should receive at least as much as the highest paid Sudder Judge. If there were any question at all, I venture to think that, it would be whether the Judicial Commissioner ought not to receive more than any Sudder Judge, on account of the heavy miscellaneous work he performs in addition to his judicial duties.

7th. Your second query relates to the desirability of fixing different grades among the Commissioners of divisions. On this point I can only suggest that, the Lahore Commissioner, on account of the size and importance of his division, of the work entailed on him, and of the trying climate in which he has to reside, should receive more than the other Commissioners, say Rs. 3,000 or more. For the other Commissioners, it would not be desirable that any should receive less than their present salary *i. e.*, Rs. 2,750, including travelling allowance. If their powers and position be considered, it will be found that they are the most cheaply remunerated officers in Upper India, excepting perhaps the Deputy Commissioners of the Punjab. In short, all salaries in the Punjab have always been on the most economical scale.

I have the honor to be,

SIR,

Your most obedient servant,

R. MONTGOMERY,

Judicial Commissioner.

* Road, Ferry, Local Agency, and Dhurt (Town duties levied for watch, ward, conservancy and improvements, &c.)

2077

Appendix No. 596
Financial Commissioner in the Punjab

No. 2455.

FROM

D. F. McLEOD, Esq.

Financial Commissioner for the Punjab.

To

HENRY RICKETTS, Esq.

Commissioner for revision of Civil Salaries, &c.

CALCUTTA.

DATED LAHORE, *the* 12*th July* 1856.

Revenue Miscellaneous.

SIR,

I have the honor to acknowledge the receipt of your letter No. 136, dated 17th May last, enquiring what reasons exist, why the present scale of remuneration of the office I hold should, in my opinion, be allowed to stand.

2. The salaries of the Members of the Board of Revenue at Madras, and of the Judges of the Sudder Adawlut at Bombay, are mentioned by you as those with which a comparison may probably be instituted. But as I am unacquainted alike with the scale of their salaries, and the amount of work devolving upon them, the only remark I have to offer on this point, is, that a valid comparison can hardly be made between an officer acting individually, and the several members of a Board or Court acting collectively—though if the aggregate cost of these bodies respectively, including their Secretary, be taken, the ratio which this bears to the amount of business transacted by them, will, doubtless, afford some test, of the relative cost of the two systems of administration.

3. In addition to the duties devolving upon the Board of Revenue, duties of a strictly judicial character have, to a large extent, to be performed by the Financial Commissioner of the Punjab as an appellate authority, owing to the circumstance, that all suits whatever, in which interests connected with land exclusively are concerned, are here decided by the Revenue Courts alone; and on this officer likewise devolves the general organization and control of the Educational Department.

4. As far as the business transacted in this office, during the past three years, i. e. since its first establishment, can be readily tabulated, the following statement numerically represents it:

No.	Specification.	Number issued or disposed of during		
		1853-54	1854-55	1855-56
1	Letters issued.....	3,793	3,420	4,643
2	Circulars issued.....	64	92	80
3	Regular appeals from decisions of Commissioners.....	665	628	841
4	Miscellaneous reference and decisions ..	206	270	328
5	Rent free investigations.....	2845	3,879	6,279
6	Applications for Pensions, &c.....	189	105	117

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Appendix No. 596
Financial Commissioner in the Punjab

and it may be mentioned as a circumstance which greatly enhances the severity of the labours devolving upon an office constituted as is that under review, that they are shared with no one; any accumulations therefore which may result from indisposition, accident, calamity, or other cause, must still be disposed of by the Financial Commissioner alone, and from the difficulty experienced in relieving him, even for a brief interval, the periods of indulgence leave granted to other grades, are of necessity, virtually denied to him.

5. Having afforded the above explanation, I have done all that I can appropriately do, and after the perusal of these remarks, you must be in a better position than I, to judge of the relative importance and responsibility of the office I hold. But it is scarcely necessary for me to observe, that numerical returns can afford no adequate guide whereby to test the burdens of a post charged with the control, subject to the Chief Commissioner, of the entire fiscal and revenue administration of a great province, which comprises within itself, populations and social systems of vast variety, and which is yearly advancing in importance.

6. The amount of labor and thought involved in reporting yearly, upon the financial position and revenue administration of such a province, upon the several Departments of Survey, Settlement, Salt Customs, Education, Trade, Population, and other subjects falling within the sphere of the Financial Commissioner's duties, as well as the devising and digesting arrangements for maintaining and improving the efficiency of the several Departments placed under his control, cannot well be estimated by an inspection of tabular statements, and however inadequately these various duties have been fulfilled by myself individually—or however great my omissions in respect to any or all of them—it is my belief, that no office more responsible exists under any Governor, or Lieutenant Governor of British India, nor any involving a heavier amount of labor, if its duties be completely fulfilled.

7. As respects the query contained in your 2nd paragraph, I would class the importance and laboriousness of the several Commissionerships of the Punjab, as they stand at present, in the order noted in the margin, though the Peshawar division is probably entitled to a higher position than I have here assigned to it, owing to the heavy political duties connected with that turbulent frontier, and the races beyond it, which devolve upon the Officer holding the post of Commissioner and Superintendent, in regard to the extent and importance of which, however, I have no adequate means of forming a correct judgment.

Name of division.	Number of districts.
1 Lahore	5
2 Cis Sutlej	5
3 Trans Sutlej	3
4 Jhelum	4 and Salt dept.
5 Leia	4
6 Peshawur	3 & Kohat Salt Mines.
7 Mooltan	3 and Sutlej Salt preventive line.

8. The duties devolving on the Commissioner of Lahore, must be at least double of those devolving on the Commissioner of Mooltan, and those of the remainder, all differ more or less from one another, though in a smaller ratio, so that on this score, at all events, there is abundantly sufficient ground for introducing a graduated scale of Commissionerships.

9. I am myself however, of opinion that the establishment of different grades of Commissionerships, as of all other ranks of office whatever, is most desirable, irrespective of differences in the relative importance of the several Commissionerships, on the ground of its affording a means of promotion not otherwise attainable, and I think it of more importance, that the head of the Local Government should be enabled, to retain each individual Commissioner in that position in which he deems it most desirable to place him without thereby retarding his promotion, than that the salary of each office should be proportioned to the labour which it involves.

10. The salary of this class of Officers in the Punjab has been fixed on a scale which I certainly cannot recommend should be further reduced in the existing state of

affairs, and accordingly I would propose that there be three grades of Commissioners as per margin,* the distribution of whom should be entirely discretionary with the Chief Commissioner, their promotion being also regulated by him, subject to the approval of the Supreme Government.

2 on Rs. 3,000 per mensem.
2 or 3 on 2,750 do.
3 on 2,500 do.

11. Should the number of Commissionerships continue the same as at present, the above arrangement would effect a saving of Rupees 250 per mensem, as compared with the schedule now in force, but it will be observed, that I have suggested 8 Commissionerships in lieu of 7, as I believe the duties at present devolving on the Commissioners of Lahore and the Cis Sutlej, to be in each case greater than can be imposed upon any one individual, in justice either to himself, or to the interests of the public service, and it has, I believe, been in consequence in contemplation, to form these two divisions into three, a measure advocated, I believe, by every individual in the Punjab, who has bestowed any consideration upon the subject.

I have the honor to be,

SIR,

Your most obedient servant,

D. F. McLEOD,

Financial Commissioner for the Punjab.

FINANCIAL COMMISSIONER'S OFFICE,
LAHORE,
The 12th July 1856.

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APPENDIX No. 577
Officers in Oude.

No. 174 *of* 1856.

JUDICIAL DEPARTMENT.
MISCELLANEOUS.

From

M. C. OMMANNEY, ESQUIRE,
Judicial Commissioner of Oude,

To

H. RICKETTS, ESQUIRE,
Commissioner for the revision of Civil Salaries and Establishments throughout India,
NYNEE TAL.

Dated, LUCKNOW, *the* 24*th May,* 1856.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 135, dated 17th Instant.

2. The office of Judicial Commissioner of Oude comprises in its functions, not only the powers of the Sudder Courts, but the superintendence of the Police, Jails, Education, Road, and Ferry funds, and all local funds at the disposal of district officers, and the system of Town duties, and all matters connected with the Ecclesiastical department.

3. At the present moment, when Establishments are in the course of organization, and the judicial system to be hereafter in force under consideration, I should think that there can be no comparison in respect of the extent of duties between this office, and that of a Bombay Sudder Judge; this being immeasurably heavier, whether in respect of amount of work, or responsibility.

4. I have no data to refer to on the criminal side, but the civil work in the Bombay Sudder Court in 1849, amounted to but 110 cases, which, divided amongst three Judges, does not indicate a large amount of business.

5. But if the question be viewed with reference to the relative importance of the two offices, and expense of living, I should be disposed to think that the mere necessaries indispensable for a European Officer, filling an office of such dignity, would be procured at an infinitely higher cost at Lucknow, 700 miles from the Presidency, than at Bombay. On the other hand, I regard a liberal salary more peculiarly called for in a new Province, where a certain regard to externals is politically expedient.

6. The city of Lucknow, is, I believe, the largest in India, and perhaps, next to the Presidency Towns, the wealthiest, while the Province is densely populated; and I do not expect, when our courts are in full operation, that in the civil and criminal departments alone, the duties devolving on this office will fall in amount below those of any similar situation in any Presidency. Moreover, our functionaries are here introduced amongst a native society, consisting of noblemen and officers of the late State, who maintained large and costly establishments, and lived in great state. It would have an exceedingly ill effect to curtail the allowances of the highest

Judicial British officer in the Province so low, as to oblige him to be niggardly in his domestic arrangements. In England, income is not estimated solely by annual salary. All Officers have their expenses paid, whenever, or wherever they move, and enjoy perquisites and sources of income, points which, in instituting comparisons, are always lost sight of. The Judicial Commissioner is expected to move about when the season will admit of it, (and I believe the Bombay Judge is not,) and the expense he must himself defray.

7. I would urge also, that granting the incumbent is qualified, it is by no means unreasonable for an officer, selected to be, in effect, Chief Justice of this Province, whose standing would always range from 20 to 25 years' service, to look for 42,000 Rupees per annum. The incumbent will rarely attain to it sooner, and will generally be on the eve of retirement; and as it will be conferred on men of approved service, I cannot see that the salary is excessively liberal.

8. On the subject mooted in paragraph 2, I am hardly competent to give an opinion, as the subject involves general considerations, and I think the most competent authority to deal with it is the Chief Commissioner. I can say, however, that as Civil and Criminal Judges, these Officers will have quite as much, or more occupation, than a district Judge in the Provinces; and to this will be superadded revenue and political duties, the former of which are, and will be for years, exceedingly onerous. At present, I am aware that these officers are occupied from early morning until late at night; and while I regard none as overpaid, I am of opinion that one or even two should, with reference to the laborious nature of office, to the experience required for the adequate performance of its duties, and to the social position of the office bearer, be more liberally remunerated.

I have &c.

(Signed) M. C. OMMANNEY,
Judicial Commissioner.

APPENDIX. No. 598

Miscellaneous Papers respecting Rajpootana Agency

Rajpootana and Central India, Sir R. A. C. Hamilton, Bart.

ENCLOSURE.

(COPY.)

No. 285 of 1856.

FROM

COLONEL G. ST. P. LAWRENCE,

Political Agent in Meywar.

To

SIR R. A. C. HAMILTON, BART.

Agent Governor General for Central India.

Dated, Neemuch, 15th August, 1856.

SIR,

On receipt of your letter, No. 1702, of the 1st Instant, I sent copies of its enclosed List of cases, to the Rawul of Banswara for enquiry, report, and, as far as possible, adjustment, as well as to shew him the necessity of his exerting himself; I hope that this may possibly lead him to take steps to punish the offenders, and prevent the recurrence of such aggressions, but of this, I am not very sanguine. Police he has none, and his power to control the Bheels you know is next to nothing. Some of the cases have already I think, been replied to, such as remain unsettled, can be investigated by Punchayet, under the Superintendence of a British Officer, when the season admits.

2. You are aware that these aggressions, have more or less prevailed, from the date of our connection with this quarter, and in no year, since 1818, do I find them wanting on both sides of the border, notwithstanding the exertions of your and my Predecessors; in fact, it may be considered as the normal state of the border.

3. From the records of this Office, I find that Officers have been deputed, Punchayets assembled, Ameens sent, and even Chuprassees located, to report on these affrays, adjust them, punish the culprits, and put a stop to the system, yet that all such measures have proved futile.

4. That there is much exaggeration and mutual recrimination in stating the cases, on both sides, there can be no doubt, as one instance among many, I find that in 1842, Col. Ross, Officiating Political Agent Meywar, "deputed the Banswara "Vakeel, to settle the monstrous allegations of losses made by the Jhaboa authorities "against Banswara, that he had already reduced them from 1 lakh and a half to about "26,000 Rupees, with every probability of proving it, eventually, to have been much "lower still."

5. I further find the same Officer shortly after, writes to Colonel Sutherland, Agent Governor General, Rajpootana, dilating on the general incompetency of the Banswara Rawul, of the disorders thence existing, detrimental to the neighboring states, and des-

Rajpootana and Central India, Sir R. A. C. Hamilton, Bart.

tructive of their tranquillity, with the urgent necessity of remedial measures, as subjects which have been frequently discussed.

6. In June of the same year, (1842,) I also find my Predecessor, the late Colonel Robinson, suggesting to Major Sandys, Political Agent Mehidpore, " the adoption of " precautionary arrangements, to cover the passes leading into Banswara and Pertab- " ghur ; by a more judicious arrangement of the Mehidpore Contingent, (he says) that " 20 or 25 Sowars at each Post, would command the principal roads leading from and " into their Jungles, and thus greatly restrict, if not entirely suppress, those aggres- " sions. The knowledge of such precautions, would of itself, go a great way towards " this desirable end, and even if they should still be attempted, the chances are the " marauders, with ordinary vigilance on the part of the Thanas, would be seized, and " Raids be much less destructive to person and property. When such measures are " adopted, the Pertabghur and Banswara authorities, will be advised of the same, and " required to instruct such Troops as they have on their respective frontiers, to co- " operate with the Contingent parties, in the execution of this duty."

7. In case Colonel Robinson's letter may not be in your Office, I would name where he says the Thanahs should be stationed, viz :

1st. Opposite to Koosulpoora of Pertabgurh, to guard the Passes of Dhooba-Khera and Khyrate.

2nd. At Bhugrawud of Pertabgurh, to watch the Passes of Uchloda, Solgurh, and Sagretta.

3rd. At Taijpore Ghoree in Banswara, to stop the Passes of Mohungurh and Raepore.

4th. At Dowhitpore Pergunnah Kurchee in Banswara, to command the Passes of Khangurh, Sukote Amba Rama, and Sabitgurh.

5th. At Dava Peepulyea in Banswara, to stop the Passes of Ruttentulaee, Amba, Hurora and Udwanea.

8. I have not been able to ascertain how far these suggestions were adopted, or what were their results, your records may perhaps shew, but they seem to me to have been judicious, and if now put into force, would I think, be of much avail in checking what we both have so much at heart, these continued aggressions of the border. In addition, I would suggest that round towers be built at each post, which could be held by 1 or 2 men, while the rest of the party are absent in pursuit of maranders. You have Troops under your control, which I have not, and hardly know how they could be better employed.

9. You are aware of my little faith in the efficiency of employing Moonshees, Ameens, Chuprassees and the like, and even in the deputation of Officers, (when we can get them, which is but rarely the case ;) unless permanent they can hardly be expected to be of much service. All these are but temporary expedients, attended with much cost and heart burning to the States, a Bheel Corps to be paid by Pertabgurh, Banswara,

Rutlam, Sillava, Jowrah, Holkar and Sindia, would, in my opinion, be much the best method of pacifying the Border, as has been proved by the Malwa and Meywar Corps, —the enlistment of Bheels of the large Pals of those states, would soon draw the teeth of their predatory Chiefs.

Rajpootana and Central India, Sir R. A. C. Hamilton, Bart.

10. In conclusion, I would state, that I have deemed it necessary thus to recur to antecedents, in order to mark the difficulties of the subject, and to shew that the present state of affairs is no novelty, you know that I have already tried two Superintendents at Banswara, Moonshee Mir Shahamut Ali and Baboo Nynsookh without success, that I have visited that Principality three times, and my Assistant Captain Brooke once, and that I have done my utmost to improve and strengthen its Government. I would therefore only now add, that if you can point out any more effective measures, for the suppression of these outrages and the pacification of the Border, you will find in me a zealous co-operator.

I have, &c.

MEYWAR AGENCY, NEEMUCH,
15*th August*, 1856.

(Sd.) G. ST. P. LAWRENCE,
Political Agent.

(True Copy)

R. JENKINS,
Offg. 1st Asst. Agent Govr. Genl. for C. India.

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APPENDIX. No. 579

Miscellaneous Papers respecting Rajpootana Agency.

Rajpootana and Central India, Sir R. A. C. Hamilton, Bart.

ENCLOSURE.

(COPY.)

No. 1856 of 1856.

FROM

SIR ROBERT HAMILTON, BART.,

Agent to the Governor General

for Central India.

To

LIEUT. COL. G. ST. P. LAWRENCE,

Political Agent in Meywar.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 285, dated 15th instant, regarding the measures to be adopted for putting down border outrages, on the frontiers of Banswara, Koosulgurh, Rutlam, Jhaboa, Holkar, and other States.

2. On searching the records of my Office, I find, that on the 16th of June 1842, a copy of a report from the Political Agent at Mehidpore, on an outrage committed by marauders from Banswara, was forwarded by Sir C. Wade to the Government of India, and that the subsequent Correspondence to which you allude, remained unnoticed until a reply to the above reference should be received, but nothing further appears on record.

3. With regard to the measures to be adopted at the present day, I hardly think, that any permanent benefit would arise from Military operations alone, the condition of this frontier is dependent on the vigilance and efficiency of the local administration. There is no reason why the Bheels of Banswara and Koosulgurh, should not be as tractable and quiet as those in Jhaboa, Burwanee, Rajpore Ali, and other Bheel States. It does not however appear to me, that the measures adopted in the last named States, have as yet been attempted in Koosulgurh or Banswara, and I am inclined to think, that it would be better to give them a trial before proceeding to any thing like Military operations, which, in a country like that under discussion, cannot be calculated on as likely to effectually suppress such outrages, unless indeed the country be occupied by troops, a course almost out of the question.

4. I am not aware who is the Bheel Agent or Officer, who could be employed as such under you, to carry out the plan, which Captains Wilkie and Evans matured in the Bheel districts of the Nerbudda, Pergunnah Rat and Jhaboa.

APPENDIX. No. 279

Miscellaneous Papers respecting Rajpootana Agency

Rajpootana and Central India, Sir R. A. C. Hamilton, Bart.

5. The Bheels in this quarter, had been annually harrassed by Detachments from the Contingents, without the object in view being attained; coercion alone, it was evident, effected nothing permanent.

6. Captains Wilkie and Evans were therefore directed to make a tour thro' the Bheel districts, visiting every *Pal* and Settlement however small, registering the names of the Turvees or Headmen, ascertaining their Hucks, means of subsistence, numbers of clan, nature of their disputes, and blood feuds, and other statistical particulars. An Officer of the Durbar or Local Government accompanied them, and was present during the investigations made by them. Differences with the Government were arranged. Hucks fixed and recorded, the mode of payment, whether of Tanka or of rent, settled with its amount, and agreements taken from the Headmen, that they would preserve tranquillity within their clan, and abstain from predatory excursions, in consideration of which, they were assured in their holdings and in being protected. Thus the Government and the Bheels, thro' their Headmen, were brought together, and their relations placed on a footing, mutually understood and recorded in the presence of both, by the British Officer as Bheel Agent.

7. Disputes between clans, involved patient investigation, every encouragement was given to all parties to settle their feuds thro' the intervention of the Officers above named, and I am happy to say, that within two seasons, the labors of the above named Officers were crowned by a success beyond even my sanguine expectation. From that day to this, no outrages have occurred within the tracts subjected to their investigation.

8. If such a system could be introduced in Banswara and Koosulgurh, under your direction, I cannot see why it should not be similarly successful.

9. I am aware that there are some turbulent petty Chiefs, such as Dulla Rawut, who may require to be awed, I have now before me a request from Sindia's Vakeel, to be permitted to act offensively with troops against him, in consequence of his behaviour towards Sindia's authorities in Mundsore. I have told the Vakeel, that beyond the limits of Sindia's territories, I cannot permit his Troops to pass, nor do I think, much benefit would be gained by any Military operations against Dulla Rawut, tho' good might ensue from the Chief to whom Dulla Rawut is subordinate, sequestrating his Jagheer, or whatever may be in his possession, and placing them under efficient management.

10. In respect to your suggestion, for the employment of the Malwa Contingent, I have only to observe, that anxious as I shall ever be to meet your wishes, still the duties which devolve upon the Malwa Contingent within their proper limits, are of such urgency, that they could not be spared to maintain tranquillity, in States with which they are wholly unconnected.

11. Holkar, Sindiah, and Jhaboa, already contribute to a Bheel Corps, and I do not think it would be expedient to call upon them to contribute to another, especially

when the necessity does not arise out of the misconduct of their subjects, but rather owing to the weakness and inefficiency of the local administration in Banswara and Koosulgurh.

Rajpootana and Central India, Sir R. A. C. Hamilton, Bart.

I have, &c.

INDORE RESIDENCY,
21st *August*, 1856.

(Sd.) R. A. C. HAMILTON,
Agent Govr. Genl. for C. India.

(True Copy)

R. JENKINS,
Offg. 1st Asst. to Agent G. G. for C. India.

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APPENDIX. No. 620

Miscellaneous Papers respecting Central India.

ENCLOSURE.

Agent Gov. Genl. Central India, Sir R. Hamilton, Bart.

Extract from a Despatch, from the Agent Governor General for Central India, to the Secretary to the Government of India, dated, Indore Residency, 20th August, 1855, *No.* 132.

12. " A third appointment. I trust His Honor in Council, would take the opportunity to sanction an appointment, to be held by a Native of India, namely a Native Assistant in Malwa to the Agent Governor General, such an Office is greatly required, and would be of infinite use, independent of the encouragement and reward it would offer, to the intelligent, meritorious, and hard working Native Functionaries serving our Government

13 In Malwa, the services of a Native Agent or Assistant would be most valuable. A long interval of undisturbed peace has made land valuable in quarters where its possession was little heeded. Native States are now looking to their boundaries, requiring their demarcation to prevent disputes and bloodshed, where a few years back, the advent of a plough was never dreamt of; these disputes require attention and local enquiry, they are first settled by arbitration ; still the presence of some one on he part of the British Government is indispensable. A Native Agent or Assistant can best perform this duty, and many others which often occur, in which a direct and personal communication by an authorized Agent to a Petty Chief, settles a question, which otherwise increases and swells by delay into an irritating discussion. The Salary of such an Agent ought to be not less than 300 Rs. per mensem, with 50 Rs. for marching and Establishment.

14. A second Native Agent or Assistant in Bundelcund, would also be a most beneficial appointment, and I trust will be favorably viewed by His Honor in Council, tho' it may possibly not now be carried into effect."

(A True Extract.)

(Signed) R. JENKINS,

Offg. 1st Asst. Agent Govr. Genl. for Central India.

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APPENDIX. No. 601

Miscellaneous Papers respecting Central India.

No. 1427 A of 1856.

Agent Gov. Genl. Central India, C. B. Thornhill, Esq., Offg. Secy. to Govt. N. W. P.

FROM

C. B. THORNHILL, ESQ.,

Offg. Secy. to Government, N. W. Provinces.

To

H. RICKETTS, ESQ.,

Commissioner for the Revision of Civil Salaries.

Dated, Head Quarters, Nynee Tal,

Financial Department. *The 20th September,* 1856.

SIR,

I am directed to acknowledge the receipt of your letter, No. 510, of the — Instant, requesting opinion as to the desirability of abolishing the Post of Political Assistant for Bundelcund and Rewa.

2nd. In reply, I am desired to state, that the Lieutenant Governor is of opinion, that some British Officer should be placed near the territories of the Bhoghelkhund and Bundelcund Chiefs, with authority to act at once in the many smaller matters that must demand interference, where the boundaries of numerous minor States are so largely, and often so inconveniently intermixed with the limits of British districts.

3rd. The Agent to the Governor General residing at Indore, is too remote to superintend with promptitude and effect the maintenance of good neighbourhood, and due co-operation in matters of Police or general urgency, as they may from day to day arise in these entangled jurisdictions.

4th. Were the control, indeed, of the Political relations with Rewa and the Chiefs of Bundelcund, vested in the first instance in the Government of the N. W. P., some considerable reduction of charge might readily be effected. But this is a question exclusively for the consideration of the Government of India.

I have the honor to be, Sir,

Your most obedient Servant,

C. B. THORNHILL,

Offg. Secy. to Govt. N. W. P.

HEAD QUARTERS, NYNEE TAL,
The 20th September, 1856.

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APPENDIX. No 602

Miscellaneous Papers respecting Central India.

No. 1364.

Agent Gov. Genl. Central India. Sir R. Hamilton, Bart.

FROM

SIR R. HAMILTON, BARONET,

Agent Governor General for Central India.

To

H. RICKETTS, ESQ.,

Commissioner for the Revision of Civil Salaries.

Dated, Indore Residency, 21st June, 1856.

SIR,

An application having been submitted to me by the Political Agent in Bhopaul, for the services of an Assistant, I think it best to forward a copy of the correspondence to you, and to state my opinion, that it would be highly expedient to have a qualified Native Agent or Assistant under all Political Officers, but I cannot advocate the permanent employment, under the Political Agent, of an Officer attached to a Contingent, not under his command, and wholly separated from his control.

2nd. Experience has abundantly proved the incompatibility of such an arrangement, and I am not aware of any, more productive of collision and disagreeable correspondence, than it.

I have the honor to be, Sir,

Your most obedient Servant,

INDORE RESIDENCY, 21st *June*, 1856.

R. N. C. HAMILTON,

Agent Govr. Genl. for Central India.

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APPENDIX. No. 622

Miscellaneous Papers respecting Central India.

(COPY.)

No. 173 of 1856.

Agent Gov. Genl. Central India. Sir R. Hamilton, Bart.

FROM

CAPTAIN W. F. EDEN,

Political Agent in Bhopal.

To

SIR ROBERT HAMILTON, BART.,

Agent Governor General for Central India,

INDORE.

Political Department. *Dated, Camp Kamkhaira, 24th April,* 1856.

SIR,

When in Camp with you last month, in Nursinghur and Bairsuah, I referred to you on the matter of the appointment of an Assistant to the Political Agent in Bhopal, and as you inclined to support the question, I am now induced to request you will submit my application, for the favorable consideration of the Right Honorable the Governor General.

The Superintendence of eight or more independent Chiefs and Jaghirdars, the supervision of intermixed districts of four different Principalities besides several guaranteed Grassiah Chiefs and Pindarahs.

2nd. This Agency comprises so many separate and intermixed jurisdictions. So many districts and Chiefships, with opposite and conflicting interests, as to impose no ordinary degree of labor and anxious responsibility upon the Political Agent. It is not alone, however, that the duties in themselves are heavy and responsible. But that the nature of them is such, as to call the Political Agent away for a considerable time together from his Head-Quarters, where there are a Treasury, Jail, a large Military force, and an extensive and populous Bazaar.

3rd. In the daily occurrence of cases, and many of them important in the latter, the Political Agent is forced to confide to the abilities and integrity of his local Native Officials, and in most instances, to defer solid enquiry, till he shall have returned from his Tour in the districts, thus inflicting a positive hardship upon many, who with fairness look to more ready attention to their appeals for justice, and to a more rapid settlement of their cases, than his unavoidable absence will allow.

4th. With regard to the Political Agents' absence, I would add, that it seems very essential to a proper understanding and discharge of his duties, that he should be in Camp for three or four months in every year, and indeed that he should be ready to go into Camp at any time; the efficiency of a Public Officer depends much on the accuracy and extent of his knowledge, and where there are so many conflicting interests as in Central India, such knowledge can only be gained by the Political Agent moving

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Agent Gov. Genl. Central India, Sir R. Hamilton, Bart.

through the circle of his Superintendence, and by seeing people at all times, and under many different circumstances.

5th. I would further observe, that when the Political Agent moves into Camp, he has no option but to take his entire Establishment with him, and very many records. In matters connected with the Treasury, this is inconvenient; as a general rule, when the Political Agent moves into Camp, he leaves the keys of the Treasury with the Senior Officer of the Contingent upon his own responsibility, this is, chiefly to admit of the Treasury being opened once a week on relief of guards, and to take out money on receipt of Pay drafts, but it does not obviate the delay occurring from the necessary transmission of all papers, such as Pay Bills, Pension Bills, requisitions for Officers drafts, and Sepoys Family Remittances, orders for Cashing and issuing Public Bills, &c., to the Camp of the Political Agent.

Preliminary if not substantive and decisive inquiries into cases Civil and Criminal, as they occur within the Civil Courts of Sehore.

6th. With a practised Assistant, the inconvenience on this point, as well as on other and more important points, would be considerably diminished, if not altogether removed, while his Services would enable the Political Agent to administer the Office intrusted to him, in every manner as satisfactorily to the Government as possible, and in a way that may be creditable to us in this part of the country.

7th. If the Right Hon'ble the Governor General in Council shall be pleased to receive my application with favor, I would presume further to solicit that the Assistant may be of the Covenanted Branch of the Service. For many and obvious reasons, the propriety of this suggestion will be apparent to yourself, while I feel confident you will favorably state your sentiments to Government in submitting the subject of this letter for decision.

8th. I would desire to explain, that I do not seek for the services of an Assistant wholly for general duties, such an arrangement would I conceive, entail greater expense on the Government than that which I wish to be allowed to propose, namely, that the services of an Officer of the Bhopal Contingent, shall be rendered available to the object, provided it shall appear that the duties are compatible; then the position and duties of the 2nd in command of the Bhopal Contingent admit the feasibility of this arrangement, and I would solicit that Lieut. Magniac, 2d in command Bhopal Contingent, who has already acquired considerable local experience, and is practised in Civil and Police duties, may be appointed an Assistant to the Political Agent, on a Salary not to exceed Rupees 200 a month, in addition to his present duties. The Officer Commanding the Bhopal Contingent, being of opinion that Lieut. Magniac's services may be rendered available for Political or other duties in the Agency, without prejudice to his Military duties.

9th. The Salary of a separate Officer would, I apprehend, be higher, and he would further be entitled to travelling allowance while on deputation, whereas the selection of an Officer as I suggest, and whose services are easily available, would save this ex-

pense, and admit of the Political Agents moving into Camp more lightly equipped, and mayhap at less expense. I may add that the Political Agent receives no travelling or deputation allowance while moving about his District.

Agent Gov. Genl. Central India, Sir R. Hamilton, Bart.

I have, &c.;

BHOPAL POL. AGENCY, CAMP KAMKHAIRA, *The 24th April*, 1856.

(Signed) W. F. EDEN,
Political Agent in Bhopal.

True Copy.

R. JENKINS,
Offg. 1st Assist. Agent G. G. for Central India.

2100

APPENDIX. No 602

Miscellaneous Papers respecting Central India.

(COPY.)

No. 849.

Agent Gov. Genl. Central India, Sir R. Hamilton, Bart.

To

CAPTAIN W. F. EDEN,

Political Agent in Bhopal,

SEHORE.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 173, dated 24th Ultimo, and request you will favor me with a Statement, shewing the names of separate States and Jagheerdars under the Bhopal Agency, the extent and nature of the power of the Political Agent's interference in the administration of each, the number of trials which have been held within the past, or two last years, connected with each State, and the average number of drafts issued monthly from the Sehore Treasury, specifying whether to other than to Sepoys or Officers of the Contingent.

I have, &c. &c.,

INDORE RESIDENCY,
1st *May*, 1856.

(Signed) R. N. C. HAMILTON,
Agent Govr. General for Central India.

A True Copy.

R. JENKINS,
Offg. 1st Asst. Agent Govr. Genl. for Central India.

2102

APPENDIX. No. 602

Miscellaneous Papers respecting Central India.

(COPY.)

Agent Gov. Genl. Central India, Sir R. Hamilton, Bart.

No. 182 of 1856.

FROM

CAPTAIN W. F. EDEN,

Political Agent in Bhopal.

To

SIR ROBERT HAMILTON, BART.,

Agent Governor General for Central India,

INDORE.

Dated, Sehore, (Bhopal) 6th May, 1856.

SIR,

I have the honor to submit the information called for, in your letter, No. 849, dated 1st Instant.

2. Exclusive of the substantive State of Bhopal, there are under this Political Agency the following,—

1. Two Divisions of Koorware.
2. Basowda.
3. Mahowdghur.
4. Puttaree.
5. Luranut.
6. Rajghur.
7. Nursinghur.
8. Khilchapoor.
9. Gagronee.

The Political Agent is the ordinary medium of communication between these States and others, and between these States and the Superior British authorities.

3. The first six are independent Chiefships, the three last are tributaries to British Dependents. The nature and extent of the Political Agents interference in their internal affairs for the most part limited, and in regard to general administration exercised discretionally, to the maintenance of the public peace and good order.

4. Muhmedghur.
Gurha.

APPENDIX. No. 602

Miscellaneous Papers respecting Central India.

Agent Gov. Genl. Central India, Sir R. Hamilton, Bart.

These are feudatories of Scindias, paying no tribute. The usual Political relations are observed with these.

5. The Grassiah's guaranteed or otherwise, under this Agency, are those of

Agra Berkhaira—not in the strict sense "grassia."
Heerapoor.
Ramghur.
Dabta Dheer.
Kaukurkheira.
Dareeagheira.
Kunnaspoor.
Dabloghosa.
Khurseca.
Jhulera.
Bhubree, Dhimgdow.
Sootaleea.
Mungulghur. } In Pergunah
Kallookheree. } Bareseeah.
Gurha. }

6. Besides the foregoing, there are a few Pindaree families, holding Villages in Jagheer.

7. The following are the particular districts of British Dependencies, the affairs of which, with regard to neighbouring States, are transacted thro' this Agency.

Bhilsa.
Gunj Basoda.
Mullarghar.
Soondursee.
Sonekutch.
Jeerapoor Nussulpoor.
Share in Tullian (Holkars)
Kautorpore—Miriawur.
Seerouge—(Tonk)
Sarveegpoor (Deweess)

8. There is no direct interference in the internal affairs of these Pergunnahs, nor would there be, unless under instructions from the British Agents at the several Courts, and excepting, discretionally indeed, for the preservation of the public peace, when it may seem to be in danger.

9. The number of actual trials is of necessity small, perhaps not averaging one a month, but a large number are laid before the Political Agent both of Civil and Criminal Cases, those for the past 2 years amounted to nearly 1,450.

APPENDIX. No. 603

Miscellaneous Papers respecting Central India.

10. The number of Bills, issued from the Sehore Treasury, for 2 years ending 30th April 1856, is 688, and received for the same period, is 282, apart form transactions in Native Hoondies.

Agent Gov. Genl. Central India. Sir R. Hamilton, Bart.

I have, &c.,

(Signed) W. F. EDEN,

Political Agent in Bhopal.

SEHORE,
The 6th May, 1856.

A true Copy.

R. JENKINS,

Offg. 1st Asst. Agent Govr. Genl. for Central India.

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APPENDIX. No. 603

Miscellaneous Papers respecting Central India.

No. 2088.

Agent Gov. Genl. Central India, Sir R. Hamilton, Bart.

FROM

SIR ROBERT HAMILTON, BART.

Agent Govr. Genl for Central India.

To

H. RICKETTS, ESQ.,

Commissioner for the Revision

of Civil Salaries and Establishments

throughout India.

NYNEE TAL,

Dated, Indore Residency, 24th September, 1856.

SIR,

In reply to your letter, No. 507, dated 15th Instant, I have the honor to state, that the Salary of the Deputy Bheel Agent stationed at Maunpore is 300, exclusive of Military pay, and that the Pergunnah of Maunpore is now absorbed in the Province of Nimar, and has ceased to be a separate charge.

2. The duties of the Deputy Bheel Agent are of much importance, he has charge of the guaranteed and other Bhoomiahs, Turvees, and Bheels in the Ghauts and valley of the Nerbudda, besides the Police charge of the Agra and Bombay road from Mhow to the Candeish Frontier, about one hundred miles. As the Ghauts are the most important point to watch, the Head Quarters of the Deputy Bheel Agent have been fixed at Maunpore.

From Secy. to Govt. N. W. P., No. 4389, dated 29th November 1853.
Extract from a letter from Secy. to Govt. of India to Resident at Indore, No. 2532, dated 12th November 1850.

3. I beg to annex copies of the orders of Government regarding salary and statement as required.

I have the honor to be, Sir,

Your most Obedient Servant,

R. N. C. HAMILTON,

Agent Govr. Genl. for Central India.

INDORE RESIDENCY,
24th September, 1856.

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APPENDIX. No. 603

Miscellaneous Papers respecting Central India.

(COPY.)

Agent Gov. Genl. Central India, Sir R. Hamilton, Bart.

Extract from a letter from the Under Secretary to Govt. of India with the Govr. Genl., to the Resident at Indore, No. 2532, *dated* 12*th November*, 1850.

Para 1. In reply to your letter, dated the 29th ultimo, I am directed to inform you, that the Most Noble the Governor General is pleased to sanction a Staff Salary of Rs. 300 per mensem to Capt. Siddons, including travelling and other allowances, and exclusive of his Military Pay, during the period he may perform the duties of Deputy Bheel Agent.

(True Extract.)

(Signed) W. Y. SIDDONS,

Offg. Deputy Bheel Agent for

CAPTAIN N. F. EDEN,

1*st Assist. to Resident.*

(True Copy.)

W. R. SHAKESPEAR, LIEUT.,

Dy. Bheel Agent and Pol. Assist.

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APPENDIX. No 603

Miscellaneous Papers respecting Central India.

(COPY.)

No. 4827 of 1853.

Agent Gov. Genl. Central India, Sir R. Hamilton, Bart.

FROM

J. W. DALRYMPLE, ESQ.

Offg. Under Secy. to the Govt. of India,

Fort William.

To

W. MUIR, ESQ.

Secretary to the Govt. of the N. W. P.

Foreign Department. *Dated, Fort William, the 11th of Nov.*, 1853.

SIR,

With advertence to the letter from this Department to your address, No. 3700, of the 19th August last, I am directed to state, that as it appears that the time of the Deputy Bheel Agent in charge of Maunpore is more occupied in looking after Scindias interests than in any other duties entrusted to him, the Most Noble the Governor General in Council has been this day pleased to authorize the Resident at Indore, to charge a moiety of that Officers pay, namely Rs. 150-0-0, to the Maharajah, on account of the district of Maunpore.

I have, &c.,

FORT WILLIAM, *The 11th of Nov.*, 1853.

(Signed) J. W. DALRYMPLE,

Offg. Under Secy. to the Govt. of India.

No. 4389 of 1853.

REVENUE DEPARTMENT, N. W. P.

AGRA, *the 29th November*, 1853.

Copy of the above is forwarded to the Resident at Indore, for information.

(Signed) J. W. SHERER,

Assist. Secy. to the Govt. N. W. P.

(True Copy.)

E. H. ANSON,

Offg. 1st Asst. to Resident.

(True Copy.)

W. R. SHAKESPEAR, LIEUT.,

Dy. Bheel Agent and Pol. Assist.

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APPENDIX. No 624

Miscellaneous Papers respecting Central India.

Agent Gov. Genl. Central India, Sir B. Hamilton, Bart.

MEMO.

	Rs.	A.	P.
(Cavalry) as Lieutenant.			
Regimental pay and allowances...	305	4	0
Salary of Deputy Bheel Agent...	150	0	0
Do. from Maunpore Pergunnah...	150	0	0
Aggregate Salary...	605	4	0

Amount of Revenue (Land) Collected in Pergunnah Maunpore in 1855-56.	2,964	6	4¼
Sewaie Jumma for 1855-56.	6,675	3	10¼
Total.....	9,639	10	2½

(Signed) W. R. SHAKESPEAR, LIEUT.

Deputy Bheel Agent and Pol. Assist.

(True Copy.)

R. JENKINS,

Offg. 1st Assist. Agent Govr. Genl. for Central India.

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APPENDIX No. 605

Papers respecting Mysore.

To

The Officiating Secretary to the Commissioner
for the Affairs of Mysore.

SIR,

I have the honor to forward, for the consideration of the Commissioner for the affairs of Mysore, a medical certificate of the state of my general health, which has profited so little by my residence at the Cape that I feel totally unequal at present to the resumption of my duties in the Chittledroog Division.

My medical adviser is of opinion that I could undertake less onerous duties, in the climate of Bangalore, and that my health would probably improve were my powers not now overstrained; and my own feelings are in accordance with his views; and I therefore trust that the Commissioner will be pleased to submit for the sanction of the Supreme Government, with his recommendation, my request to be allowed to officiate in his office, and for one of his Assistants to act for me at Chittledroog, any part of my allowances being awarded to him that may be thought proper. And if I do not feel my health improve in the ratio I am led to expect, it is my intention to proceed to England as soon after the end of June next, when I shall be entitled to my furlough, as an opportunity offers.

I trust I shall be excused for adverting to the extraordinary labour required to carry on the duties of the Districts in Mysore, which are not inferior in extent or amount of Revenue to most in the Madras Presidency; and these, though they have been under the British Rule for many years, yield full employment to four Civil Servants,* each provided with an adequate Native Establishment, whose aggregate number doubles that of those attached to the Divisions in this country.

When not actually suffering from the fever which drove me to the Cape, I was always in office twelve hours a day, and very often have been there from eight in the morning till eleven or twelve o'clock at night; and yet, from the pressure of current business, was unable to devote the attention I could wish to many matters which, more especially in a newly assumed country, it was necessary to investigate. And I feel assured that the present state of my health has arisen from over exertion in a bad climate.

I have ventured to allude to the very laborious nature of a Superintendent's duties, which indeed a person in vigorous health alone is able to carry on, to shew that though my powers are unequal to the task of entering upon the management of the Chittledroog Division at present, particularly in so unhealthy a climate, yet I may by remaining at Bangalore in the performance of comparatively lighter duties, reestablish my health.

In conclusion, I would beg to state that I suffered mainly from acute Rheumatic affections at the Cape of Good Hope. But as this complaint never affected me in India, though it has induced the state of extreme nervous debility and weakness under which I am now laboring, I have sanguine hopes of eventual recovery.

BANGALORE,
17*th October*, 1837.

I have the honor to be, &c.
(Signed) J. S. POPHAM,
Superintendent.

(True Copy)
M. CUBBON,
Commissioner.

* Judge, Collector, Sub-Collector, Head Assistant.

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APPENDIX No. 605

Papers respecting Mysore.

I hereby certify that the health of J. S. Popham, Esquire, Superintendent of Chittledroog, is in nearly as impaired a state as when he left this for the Cape. From his own account, and from a Certificate from the Surgeon in charge of the Hospital at the Cape of Good Hope, he appears to have suffered greatly from Rheumatism, the effects of which, and the requisite treatment, have so reduced him as to have left him in a state of great nervous excitability, with headaches and functional derangement of the liver, with a tendency to a recurrence of febrick attacks. It is my decided opinion that he is quite unable to undertake the duties of a Superintendent in such a notoriously unhealthy climate as that of Chittledroog; though he might, with a prospect of benefitting his health, perform less arduous official duties in Bangalore.

BANGALORE,
16*th October*, 1837.

(Signed) CHARLES J. SMITH,
Assistant Surgeon, Mysore Commission.

(True Copy)
M. CUBBON,
Commissioner.

APPENDIX No. 606 to 608

Papers respecting Mysore.

EXTRACT OF A LETTER FROM THE COMMISSIONER OF MYSORE, TO THE SECRETARY TO THE GOVERNMENT OF INDIA, DATED 24TH NOVEMBER 1855, No. 84.

Paragraph 8. As, however, leisure is wanting to give these and other matters the attention they deserve, I am induced to suggest, for the consideration of the Most Noble the Governor General in Council, whether it might not be attended with advantage to relieve the Commissioner from his heavy Judicial duties, and to appoint, for their performance, an officer who might also have the Superintendence of the Police, the management and control of Jails, with the general charge of Educational arrangements, matters which cannot fail to occupy much time that ought to be devoted to other purposes.

607

EXTRACT OF A MINUTE BY THE MOST NOBLE THE GOVERNOR GENERAL, DATED 10TH JANUARY, 1856.

Paragraph 2. General Cubbon strongly recommends that a Judicial Commissioner should be appointed, who should also discharge the duties of gaol inspection, of superintendence of education, &c.

The reasons which are given by the Commissioner in his despatch, supported by those which are pointed out in the Secretary's note, seem to me to establish the clear expediency, if not the necessity, for instituting an office of Judicial Commissioner. It will be remembered that a somewhat similar recommendation was made not long since in the case of the Assigned Districts of Hyderabad.

The Commissioner spoke to me personally when I was at Bangalore in November, upon this subject, and expressed himself even more earnestly in favor of the creation of a Judicial Commissioner than he has done in his despatch.

Paragraph 3. I am disposed to accede to General Cubbon's request, and to constitute the office.

Paragraph 4. In the Territory of Mysore, where the appointment does not financially affect the Honorable Company, and where moreover there is a surplus income, I apprehend the Court will not expect us to make a reference regarding an office, which the Commissioner not only shews to be necessary, but to be needed urgently without delay.

608

EXTRACT OF A LETTER FROM THE SECRETARY TO THE GOVERNMENT OF INDIA, TO THE COMMISSIONER OF MYSORE, DATED 7TH FEBRUARY 1856, No. 686.

Paragraph 2. In the 8th paragraph of your letter dated the 24th November last, No. 84, you strongly recommend that a Judicial Commissioner should be appointed, who should also discharge the duties of gaol inspection, of superintendence of education, &c.

Paragraph 3. The question of such an appointment has been under the consideration of the Governor General in Council already. It is now rather incidentally suggested by you, than

APPENDIX No. 608

Papers respecting Mysore.

urgently pressed; but the expediency, if not the necessity of the appointment is shewn by the extent of Civil litigation, and the amount of Criminal business in the Province.

Paragraph 4. One of the printed pamphlets attached to your letter, shews that in 1854, there were no less than 7,556 Civil suits filed; and that in the same year, there were 11,160 "criminal cases" for trial. To supervise the machinery by which all this business is to be disposed of, to control the management of jails, to superintend the Police, and to overlook the conduct of educational operations, are duties which, His Lordship in Council thinks, may well call for the attention, exclusively, of a separate officer.

Paragraph 5. The above reasons seem to the Governor General in Council to establish the clear expediency, if not the necessity, for instituting an Office of Judicial Commissioner. And as this additional aid appears to be needed urgently without delay, His Lordship in Council has been pleased at once to appoint Mr. Devereux, of the Bengal Civil Service, to the Office, on a salary of Rupees 42,000 per annum.

(True Extracts)

G. F. EDMONSTONE,

Secretary to the Government of India.

APPENDIX No. 609
Papers respecting Mysore.

(COPY.)

MYSORE COMMISSIONER'S OFFICE.

No. 69.

From

LIEUTENANT GENERAL M. CUBBON,
Commissioner for the Government of the territories of His Highness the Rajah of Mysore,

To

G. F. EDMONSTON, ESQUIRE,
Secretary to the Government of India,
FOREIGN DEPARTMENT,
FORT WILLIAM.

Dated BANGALORE, 9*th July*, 1856.

SIR,

I have the honor to forward for submission to the Right Honorable the Governor General in Council, the accompanying Distribution List of the several Civil officers subject to my control, in obedience to the orders conveyed in your Circular letters No. 4488 of 21st December 1855, and 3195 of the 5th Ultimo.

With regard to the abstract Statement required by the last of these Circulars, it will be observed that there are some particulars connected with the headings, "Complement of officers "according to orders," and number "required to complete," which I have been unable to furnish, as no complement for the grade of Junior Assistants has ever been laid down, and their number has varied from time to time, according as the Senior officers were suffering or free from the ill health to which every body moving about in Mysore is so constantly liable.

I am not sure that this is a fitting occasion for bringing the subject to notice, but I feel confident that Mr. Ricketts' investigation will bear me out when completed; and I therefore respectfully venture to state that, in proportion to the amount of work performed, and the revenue realized, the European officers, junior to the Commissioner himself, are both comparatively few and ill paid. Nothing, therefore, would give me so much satisfaction as an assurance that a proposition to make a slight increase to the pay of the middle grades, and a small addition to the number of the Junior ones, would not be unfavorably received by the Government.

I have, &c.

BANGALORE,
9*th July*, 1856.

(Signed) M. CUBBON,
Commissioner.

(True Copy)
G. F. EDMONSTONE,
Secretary to the Government of India.

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APPENDIX No. 610 and 611

Papers respecting Mysore.

No. 553.

CHITTLEDROOG DIVISION,
SUPERINTENDENT'S OFFICE.

From

CAPTAIN G. HARVEY,
Acting Superintendent of the Chittledroog Division,

To

H. RICKETTS, ESQUIRE,
Commissioner for the revision of Civil Salaries and Establishments throughout India.

SIR,

With reference to your letter of the 16th Ultimo, I have the honor to transmit a detailed Memorandum furnishing the information called for.

I have the honor to be,
SIR,
Your most Obedient Servant,
G. HARVEY,
Acting Superintendent.

TOOMCOOR,
21*st July*, 1856.

611

MEMORANDUM.

What is the system of management, with the fullest detail?

On the first appointment of Superintendents the intention seems to have been, as implied in the name, that the administration should continue to be much as previously carried on by the Native officials, they being merely superintended by the European officers. But the inevitable course of events has been to bring the whole work into the hands of the Superintendent; so that he is as much in his own person Judge, Magistrate and Collector as any of the officers holding those appointments in the Company's territories. The result has been a vast increase of work in detail, and this increase still goes on; and so long as this increase is not such as to overwhelm him, it is of course for the advantage of the country. The difficulty of satisfactorily accomplishing all the work has, however, made itself felt already; and were it not for the frequent employment of Punchayets, it would not be got through at all.

The Departments by means of which the administration is carried on are as follows:—

Dufter or Accountant Department.	English Department.
Kotal.	Sayer Do.
Firyad.	Treasury.
Revenue.	Jail.
Magistrate.	Public Works.
Judicial, Civil and Criminal.	

The system will be perhaps best understood by referring as briefly as the amount of information required will permit to each.

The *Dufter* consists of the Head and Naib Sheristadars and twenty-four Accountants. In this Department are prepared all the voluminous accounts required by the Ryotwarree system, all the accounts received from the talooks examined and audited, &c. and by it all the duties of the yearly settlement are carried on. The post of Head Sheristadar is one of great trust and responsibility. He exercises a general control over all other Departments in so far as they affect the Revenue, and has the charge of all Revenue records. The accounts are kept in the Canarese language, and in Company's Rupees; and it would be impossible for the Superintendent to examine the great mass of them closely.

Accounts required to be sent in to the Commissioner's Cutcherry are also prepared in the Dufter. Some of them, the General and yearly ones, being then passed to the English Department, and there translated before transmission.

The *Kotal* Mootsuddi is employed in various ways under the orders of the Superintendent; being frequently sent about the District to conduct enquiries into such cases as it may appear proper to leave to a trustworthy native. He enquires, with the help of a Punchayet, and the Superintendent then hears the proceedings and the opinion of the Punchayet, and passes orders accordingly. His cases sometimes, but not frequently, involve the personal examination of witnesses by the Superintendent or his Assistant.

All Petitions from every part of the District are carried free to the Superintendent's Cutcherry by the anchay, or District post. These are received by the Firyad Department; opened and examined by the moonshees; and, if very lengthy, an abstract made of the contents. This no doubt puts it into the power of the moonshees to suppress complaints or information; but it would not be possible for the European Officers to open and examine all these petitions. They are then read to the European Officer, who passes such orders upon each as may appear necessary. All personal complainants are also daily admitted at a stated hour, their cases listened to from their own mouths, and orders given in their own hearing, which are also endorsed upon their petitions. The cases thus brought up are of every conceivable kind, from the most trivial to the most grave; and it may take perhaps a longer time to hear and settle a trifling case than a very serious one. These cases have many of them to be referred to the Talook authorities, many to the various Departments. Frequently also they require a more detailed personal investigation, which is carried on by the European Officer assisted by one of the Firyad moonshees either in the Sudder Cutcherry, or perhaps in a distant part of the district.

Revenue. All the urzees from the talooks on Revenue matters are received and opened by the Head moonshee of this Department, who reads them to the Superintendent, or to his Assistant, as the case may be, taking, in most cases, his orders direct upon them; or in others, in which reference to accounts is needed, or which require more lengthened consideration, referring them to the Dufter.

The Native Heads of the *Magistrate and Judicial Departments* receive the correspondence connected therewith, read them, and receive orders upon them in the same way. Criminal cases, if they appear not very grave, and are clearly proved, are settled at once on hearing the record of the Amildar's investigation. If they require a further trial, or an enhanced punishment, they are either ordered for personal trial, or, if the distance which the prisoners or evidences would have to travel be great, or the press of business heavy in the Superintendent's Cutcherry, they are referred to one of the Moonsiff's Courts, either to be tried and settled, in which case a report of the case and decision is sent up, or merely to be tried, and the record submitted for final decision.

The *English Department* conducts all the English correspondence; but the clerks can, of course, draft only letters of ordinary routine. Attached to this Department is also a Translator, who gives his services as required.

APPENDIX No. 611

Papers respecting Mysore.

The *Sayer Department* is under the Naib Sheristadar, and is conducted much in the same way as the other Departments; but does not entail upon the Superintendent any very large amount of work, except it be occasional enquiries into complaints and malpractices.

The Naib Sheristadar also conducts all revenue cases involving Meerassee and Inamati rights.

The *Treasury* is managed by a Treasurer, three shroffs, and some subordinates. No revenue is paid direct into this Treasury; but remittances are received from the Talook Treasuries. The Goomashtas here keep accounts, and check accounts are kept in the Dufter. The Treasury, when locked, is secured with the seal both of the Treasurer and of the Head Shroff. It is opened at the discretion of these two Officials, the circumstance merely being reported by the Jemadar of the guard to the European Officer, when he is present. Once a month when the accounts are made up, they are compared and examined, and the balance in the treasury counted in presence of the Superintendent or his Assistant. During the long absence of these Officers from Head Quarters every year, in a District, the length of which is 150 miles, this is, of course, impossible.

The *Jail* is under a trustworthy European, and requires only to be visited from time to time by the European Officers, and the work carried on by the convicts examined and directed.

The Superintendent has recently been relieved from all pertaining to the Department of Public Works, a separate Department having been formed for that purpose.

REVENUE MANAGEMENT.

The General System of work connected with the Revenue management is this. Each Ryot is furnished with a small book calculated to last five years, and divided into the following three heads :—

Kabulati Amul.
Jamabundi ditto.
Wasuli ditto.

At the commencement of the cultivation season, the Amil and his Revenue Assistants traverse the talook from village to village, and conclude Kabulati with the ryots, entering in the proper place in the ryot's book, which already contains all his hereditary &c. holdings, any alterations, such as more land taken up, fields resigned &c. every ryot, up to this date, being allowed to resign whatever he likes. Before the Jamabundy in November, the talook is again traversed to discover any changes that may since have occurred, any complaints of crops withered, deficiency of water &c. This done, the talook authorities, with the assistance of the Shanbogues, make up every man's account. On the arrival of the Division Cutcherry, all these accounts are examined, the Head Sheristadar then reads to every ryot the Talook Settlement, hears any dispute, and explains what may be misunderstood; and then, with the assistance of the Shanbogues, has all the necessary entries made in the book, under the head of "Jamabundy Amul." All this being so far prepared, the Superintendent has all these books signed and sealed and distributed to each ryot in his presence, hearing and settling whatever each man may have to object or complain of, and ordering necessary alterations. This is trying work in a hot and crowded tent, where it is sometimes kept up till ten o'clock at night; as all the ordinary current work must be carried on at the same time. As many talooks as possible are settled in each year in this manner (varying them yearly;) in the others, such books only as have to be altered, and cases of dispute, come before the Superintendent, the remainder being settled by the Talook Authorities. When the season for collections commences, they are made by the Shanbogues under the orders of the Shaikdars; every sum collected being acknowledged by the collecting Officer in the ryot's own book, under the head of "Wasuli Amul." The Shanbogue keeps his accounts, and renders account to the Shaikdar, who receives village collections, and remits them twice a month or oftener to the Talook.

How do Shaikdars check Shanbogues? How do Amildars check Shaikdars?

The system of separate accounts kept by each official, each exercising supervision over the other, and of the ryot having in his book his own individual accounts, together with the facility of making complaints to the Superintendent, is the only check which, under present circumstances, it seems possible to exercise. The frequency of complaints requiring investigation, shows that it is not quite sufficient. This also shews that the Shaikdars and Shanbogues are not always trustworthy. There is no doubt still too much submission on the part of the ryots to the cupidity of Native officials, who encourage the belief that they alone are the medium for good or evil towards them. Remissions, boons &c. &c. (to the Ryot) are too often represented either as the result of successful intrigue on their part, and turned to immediate account, or the intended recipients are kept in ignorance of the benefit conferred, and the usual levies are exacted from them until such time as it might be dangerous to carry on the deception. Under all circumstances, however, these functionaries are probably as trustworthy as the present means of European supervision entitle us to expect; and the people are gradually shaking off that subserviency to old corrupt custom, which they find inimical to their interests, and are coming forward to represent their wrongs.

Are the Shaikdars, Shanbogues, &c. trustworthy people?

The number of Shaikdars is 103. Their pay is as follows:—

1st Class	23	at 19	Rupees	each	..	437	„ „
2nd „	34	„ 15	„	„	..	510	„ „
3rd „	1	.. ..	..	..	..	14	„ „
4th „	45	„ 10	„	„	..	450	„ „
					Total	1,411	„ „

The number of Shanbogues is (457 receiving Rupees 619-3) 883.

They are remunerated in many different ways. Some receive a small salary from the Circar, and some have Inam lands, or lands on a reduced assessment; and they receive certain Meerass, or dues in grain, &c. (varying in different parts of the country) from the cultivation. They are hereditary servants, and are all Brahmins.

Are Shaikdars and Amils people of the country, or foreigners?

Neither Shaikdars nor Amils are necessarily natives of the Mysore country, nor are they of any particular caste; but they are all required to read and write and speak fluently the Canarese language, in which all business is transacted.

Are Amildars' decisions on summary suits up to twenty Rupees satisfactory? and number of appeals on special grounds for last three years, and with what result?

These decisions are generally satisfactory, as is shown by the fact of there having been but two appeals received from them within the last three years; in one of which the Amil's decree was upheld, and in the other, reversed.

How far does the Superintendent actually review all circumstances, in all criminal cases, &c.

It is a mistake to suppose that all petty cases come up to the Superintendent for review. Amildars are empowered to try and decide cases of petty assault, petty theft &c. unaccompanied by aggravating circumstances, and in which the value of property stolen does not exceed seven rupees. All other cases are, after investigation in the Talook, reported to the Superintendent, and the way in which they are disposed of has been fully explained in treating of the system of carrying on business in the various Departments.

In criminal cases involving punishment above your powers, do you merely commit the accused for trial by the Commissioner, or complete the record and send that up for orders?

In all these cases the prisoners are fully tried, and the record completed in the Division, this being sent to the Commissioner. He generally passes his final orders on it. In some cases, however, he deems it necessary to call for the parties, and retry them in his own court. Sometimes, when business presses, the Moonsiff is called upon by the Superintendent to prepare the record of cases requiring submission to the Commissioner.

APPENDIX No. 611

Papers respecting Mysore.

In original Civil Suits above 5,000 Rupees, do you fully try the case and examine witnesses in your presence, or are the cases "got up" by a subordinate, and submitted to you?

In such cases the trials are always held in the presence of the European Officer, but conducted in their general details by the Sheristadar of the Department in the presence of a Punchayet, the Superintendent at the same time attending to Question and Answer, and putting questions or directing them to be put. On completion, when the Punchayet has consulted, it does not record a verdict without informing the Superintendent, hearing any suggestion he may have to make, and discussing the matter with him. Criminal trials are conducted much in the same way. Of course in both Civil and Criminal, some cases will require much more of the European Officer's personal attention than others, but, as has already been stated, this mode of conducting business through the native head of a Department, with a Punchayet, alone enables the Superintendent to get through the work; for it is not unusual to have a Civil Case going on in one part of the room, and a revenue investigation in another, whilst the Superintendent is at the same time hearing and passing orders on the day's correspondence, with the moonshees of the various Departments.

In what way do you employ your Assistant?

The powers exercised by an Assistant in this Division are such as may be delegated to him by the Superintendent, who knows his abilities, and who alone is responsible for his administrative acts. As Officiating Superintentent over a District in which I had myself been an Assistant for upwards of ten years, I have continued to my Assistant, Captain Halliday, those powers, (if such they may be called) which I found him exercising under the Superintendent when I came to take charge; namely, magisterial duties generally.

He enquires into all matters of complaint preferred in open Cutcherry, referring every important decision to the ultimate judgment of the Superintendent. For the most part, these complaints are of a very trifling and often groundless nature. I think I may say that, on an average, at least two thirds of the Firyad cases are of this description; yet they must all be patiently enquired into, as it is by this means alone that acts of oppression and extortion on the part of native officials can be, and often are, brought to light. From an hour and a half to two hours daily, the time of the Assistant is taken up in Firyad enquiries, whilst the Superintendent is employed in Revenue and Moolkee details. From three to four hours more he is engaged in trying Criminal cases by Punchayet, or listening to and weighing the evidence in Talook Court proceedings, recording his own opinion thereon, and recommending the confirmation or reversion of judgment, as the case may be. Those proceedings are again read over to the Superintendent, who confirms or reverses the decision of his Assistant, as may appear proper. It not unfrequently happens, that this general routine is interrupted by public or private information of a nature sufficiently important to call for the immediate presence of the Superintendent or his Assistant in the most distant part of the Division; and on such occasions a journey of 100 miles or upwards, a lengthy and intricate investigation, and a return to head quarters, all in the course of a single week, is of no unusual occurrence. It need hardly be added that the accumulation of business which these trips involve, often demands additional office labor for days together.

ASSISTANTS DURING THE LAST SEVEN YEARS.

What has been the average period during which your Assistant has remained unchanged for the last seven years, and how many Assistants have you had in that time?

Captain Pearse; from April to December 1850.

(Captain Harvey being absent with his regiment in consequence of a paucity of officers.)

Captain Harvey, from December 1850 to May 1852. From May 1852, until September 1853 *none*, three officers of the Mysore Commission being absent with their regiments in the Burmese war.

Captain Halliday, from 28th September 1853, is the present Assistant.

Lieutenant Bruce also joined as a Second Assistant on the 28th September 1854, but was withdrawn to the Office of the Judicial Commissioner at Bangalore in May 1856.

What is the language in which the business of your District is transacted? Can you read, write and speak it? Are your Assistants generally acquainted with the language? If they are not, how do they conduct their communication with the people?

The Vernacular languages in common use are, Canarese and Deccani; and it is customary to transact business with the European officers in either language, according to circumstances. The Acting Superintendent reads and understands both, and can speak the latter fluently: the Assistant, Captain Halliday, is an excellent linguist; he reads, writes and converses in Canarese with the facility of a native, and in every other respect, as a Public Officer, he is in the highest degree efficient.

Having so far supplied the amount of information required, and furnished replies to the interrogatories of the Commissioner for the Revision of Civil Salaries, one question alone remains to be answered. I am requested to give my deliberate opinion whether the Establishments of my District are equal to the demands made upon them. With the exception of an efficient Police force, I am clearly of opinion that the present native Establishment is as complete as it need be: but for a District 150 miles long, with an area larger than that of Wales, I cannot say that I consider two European Magistrates sufficient to conduct the duties with all desirable detail, and to exercise that due amount of supervision over the native subordinates which their general want of integrity demands.

CHITTLEDROOG DIVISION,
SUPERINTENDENT'S OFFICE, TOOMCOOR,
21st *July* 1856.

G. HARVEY,
Acting Superintendent,
Chittledroog Division.

APPENDIX No. 612

Papers respecting Mysore.

No. 780.

SUPERINTENDENT'S OFFICE,
BANGALORE, 23*rd July*, 1856.

From

CAPTAIN J. L. PEARSE,
Officiating Superintendent of the Bangalore Division,

To

H. RICKETTS, ESQUIRE,
Commissioner for the Revision of Civil Salaries and Establishments throughout India.

SIR,

In reply to your letter No. 262 of the 16th Ultimo, I beg to state that in the reports which I have been called upon to make for transmission to you, and which have been already dispatched to the Commissioner, I have, in the third column of the second Report, attempted to give, with as much conciseness as a condensed report would admit of, the nature and importance of the duties of a Superintendent; and, in the fourth column, the peculiar circumstances which call for fair remuneration in his case. But now, in conformity with your wishes, what has been only cursorily alluded to in them, I will endeavour to give in a more explanatory form in this letter.

The reports above referred to, will give you some idea of the extent and population of the District, the amount of its revenue, the difficulties of management where the tenures are so unsettled and various, and the amount of Civil, Criminal and miscellaneous business which must necessarily come under the review of the Head of the District in the course, not of a year or a month, but of a single day. I trust, therefore, you will not consider my answer to the second and third paragraphs of your letter of unnecessary length.

In speaking of the Superintendent and his duties, I shall use the third person, as more convenient under the circumstances.

With reference to the question, How do you get through the work? so plainly put in your letter under reply, I shall take upon myself, in this case, to answer as plainly; the difficulty of getting through the work is extreme; in fact so great that at times it has seemed doubtful whether or not it was possible to hold the mastery over it, and continue to keep it in hand. On very many days it may be said to begin at dawn, and not to cease until an hour, or two, or three after night fall. By this is meant such unremitting work as places it entirely out of the Superintendent's power to read a book even by snatches, to read a paper, or to write a private note or letter of any description. If this has to be done, it must be done at night; for during office hours it may be affirmed that the Superintendent, at least of this Division, dare not hope to master the day's work, if he pauses ere it is done. As soon as he commences signing the papers read to him by the heads of one Department, he must call for the people of the next in rotation, and commence listening to their reports. If he does this, he may occasionally save an interval of time during the day, which must at once be seized upon for the review or reinvesti-

gation of appeal cases. If he does not do this, or if he loses time, or if any thing unusual, such as the writing of this very letter, should interrupt the usual course, he must indent on the night for time to make up for that which has been otherwise employed during the day.

The Superintendent is expected, at intervals of a few days, to visit the Jails during the early morning; also the Abkarry and Tobacco godowns; and to go and settle, in person, an infinity of disputes about houses and land, which are necessarily numerous in a populous town like this, where every yard of ground in and around the place is highly valuable. But all this must be done before half past seven o'clock: by which time he must be home, as the whole of the work of the Abkarry Department and the arrangements connected with it, together with many miscellaneous reports and other outside work, must be got through before breakfast. The moment that meal is over, he must leave for his Cutcherry, and at once commence with the hearing of complaints which are preferred in person. He then goes through the letters received, answers them, or disposes of them according to their requirements, hears the orders and urzees connected with the Company's Pensioners, and examines any who are present for that purpose. Immediately this is over, he must commence the current Judicial work of the Division, involving all the orders and reports on the Civil side, the results of all references and petty investigations, the review of all trifling cases which the Amils or Moonsiffs have been ordered to forward consequent upon complaints, and the review of all serious Criminal cases which he may consider of such a nature as to call for personal hearing or inspection, when he writes his decision and sentence, if within his powers, or only his decision, when the case is to be forwarded to the Commissioner. Any day that the work is not particularly heavy, he may consider himself at liberty to devote an hour or so to the hearing of an original or appeal suit, or to the more thorough investigation of such matters as require particular attention; for instance, complaints against the Subordinates either at Head Quarters or in the District. Next in rotation come the *complaints* in the Revenue Department, and all urzees received by post; and when these are gone through, he finds that at about half past four o'clock, he is at liberty to commence the *current work* of the Revenue Department, which he feels, let it take two, three, or even four hours, must be done before he can leave the office. This constitutes an ordinary day's work. But when the number of miscellaneous interruptions, which are well known to be the natural consequence of the position, are remembered, it will be well understood how difficult it must be to keep the routine to any thing like stated time; and the work, such as I have detailed it, allows of no pause either as to a day, or an hour. A native feast day, or holyday is one of those things which it is most annoying and vexatious to be obliged to sanction, for there is no pause in the receipt of matter to employ the Superintendent; and the work only accumulates, and obliges him to work late, and strain every nerve for a couple of days subsequently. Even Sunday must take its share; and such work as, were there time, would have been done during the week, is left for Sunday. It may not perhaps be considered quite correct to make this statement, but it is nevertheless true; and other Division Superintendents as well have been heard to confess that they could not help it, but that it was absolutely necessary both that they and their people should partly ignore it as a holiday. In fact, the work is so great that no man who does it, or tries to do it, honestly, can divest himself of his office for one moment. If he is not actually reading, writing or listening, he must be planning or thinking of either what he has to do next, or what he has left undone. The utter impossibility of feeling that everything is done, and that your time, even for a few hours, is entirely your own, quite precludes the Superintendent from ever being able to look upon himself as a free man, or one who may devote himself, even at long intervals, to any recreation, or indulge in any taste or pastime, no matter how strong the propensity may be. To do the work honestly, and with the feeling that he will perform the task he has undertaken, he must make his time entirely subservient to it, and rarely allow it to be absent from his thoughts.

These statements are not made with the intention of overdrawing the picture; for the Superintendent of this Division must always feel that if he could work for the whole twenty four hours,

he could find, with ease, wherewithal to employ his time most fully. By this assertion, employment in the shape of visionary plans or schemes is not meant, but plain matter of fact work; to do which himself would be far better than to send it to subordinates for investigation and report. And, with all due respect, one remark or opinion may be added, and that is, that any man who does the work of this Division earns every Rupee of his pay, even if the amount was far greater; and there is no doubt but that if it were much less than it is at present, few men would care to endure the labor for such remuneration. A strong sense of duty and the position might do much with many, but the pay would certainly not be the main incentive. This remark is made because it is generally understood that your office is one originated with the express object of reducing the amount of remuneration received throughout India, by officers in Civil employ.

With reference to the question, as to whether the establishment of this District is equal to the amount of work which it is called on to perform, it may at once be stated, without fear of contradiction, that, taken according to the ordinary standard, it is not equal to more than half the amount of work which must be got through. To prevent the accumulation of arrears, and to keep the work in hand, it is necessary that every man under the Superintendent, as well as himself, should be overworked. It is a thing almost unknown for the servants of the Division Cutcherry to leave by daylight at any time, they must be at work early, and ten o'clock at night does not sometimes see the office empty. This is also the case in the talooks, to the certain knowledge of the Superintendent. The wonder often is how, even under these circumstances, the office people manage to prepare the amount of work which they bring up. But the dread of arrears, which under such a pressure of current work posseses the mind of every one, would make it very bad policy indeed to limit the working hours in any way. But it ought to be mentioned here that the native functionaries are well aware of all this, and at times when they think they can venture on any observations of the kind, they are very fond of drawing comparisons between their own pay and labor, and that of those holding parallel situations in the surrounding Districts of the Company's Country.

In reply to the first portion of the fourth paragraph, it may be stated, that each talook, with an Amil at its head, is divided according to its fertility, extent or wealth, into a certain number of Hoblies, at the head of each of which is a Shaikdar, who is, within that range, what the Amil is to the talook, and the Superintendent to the Division. He (the Shaikdar) lives in the Hobly; he is purely a Government servant; he is answerable for every thing, Police and Revenue, within his range; he is obliged to move constantly from village to village; whenever any thing unusual occurs, he must, on pain of dismissal, at once proceed to the spot, hold a summary investigation with the assistance of a Punchayet, and at once forward the proceedings and a report to the Amil, who, should it call for such a proceeding, either goes himself, or sends his deputy, the Paishkar of the Talook, to sift the matter; a sketch report being forwarded at the same time to the Superintendent for information or instructions, as may be necessary. In all Revenue matters the Shanbogue is the Shaikdar's assistant within the Shanbogue's own range. And though this office is hereditary, whenever the Shanbogue commits himself, the Superintendent can dismiss him and appoint another shareholder; can fine him, and if none of the shareholders are qualified, he can appoint a Goomasta, on the part of Government, to perform the duty, paying him with a portion of the meerasee rights, transferring the balance to the Huqdars. There may be, and there are no doubt, both among the Shaikdars and Shanbogues men very deficient in probity, but as a body they may safely be said, taking the highest standard of native morality as a guide, to be trustworthy, and to do their duty both satisfactorily and well. But this may be attributed to the following reasons: With the exception of the Amils, Moonsiffs, and a few other functionaries of rank and position, whose dismissal must be sanctioned by the Commissioner, every public servant, in whatever Department, may be said to be at the absolute disposal of the Superintendent; so that when a case requiring an example comes before him, references, except in the cases above referred to, even from one Department to another, are unnecessary; for all Departments

are in his hands, and therefore the punishment is immediate, and with all due deference to adverse opinions on the subject, it may not be improper to state as an opinion here, that unless the Superintendent had this power, it is doubtful whether the work of the Division could be got through at all; and even if it was, it certainly would not be as honestly got through by the Subordinates in their respective positions, as it is at present.

The responsibility is, however, great, and fear of it must be unknown.

The Shaikdars are invariably paid servants of the Government; and the great body of the Public servants are either people of this country or people whose families have lived in it for years past. Some few are people from below the ghats.

With regard to the decisions of the Amils in suits for less than twenty Rupees, though they are permitted to be *viva voce*, they are really not so. A summary record of the matter is almost invariably kept by the Amil; and should a complaint be preferred against the decision, this record is called for and reviewed if the decisions are not very satisfactory.

The number of special appeals filed during the last three years are 273, and the results are 153 decisions in favor of original plaintiffs, and 120 original decisions reversed.

With reference to paragraph 5, the Assistant generally takes charge of the whole of the Magisterial duties. He investigates and passes his decision on all minor criminal cases, only referring to the Superintendent after he has drawn up a summary and opinion in such cases as are of a serious nature, requiring a reference to the Commissioner, or imprisonment beyond a brief period. Whenever he has leisure, he is handed over some appeal cases of which he draws up a summary and opinion, which he submits to the Superintendent for his opinion and decision. Sometimes the complaints preferred in person are handed over to him; but it has not been customary in this Division to give the Assistant a separate charge, as the Establishment is not sufficient to admit of a division of the Revenue moonshees, which would be necessary in that case.

It may easily be understood from this, that the work of the Assistant is in no slight degree laborious; for it must be remembered that this Division contains a considerable number of large towns, and that the number of petty offences which come under review or investigation are, as a natural consequence, both numerous and intricate.

The number of Assistants during the last ten years has been seven, one of whom was more than six years in the Division; the others remaining only for periods varying from a few months to less than two years.

The language of the mass of the people is Canarese; but Hindustani is very generally spoken, and often written. My own qualifications in this respect, which you call upon me to state, and which I will do in the first person, are, that I can read, write, and speak Hindustani with ease, having passed both in that language and Persian as Interpreter. Canarese I can both read and speak, not with the same fluency as Hindustani, but sufficiently well to communicate with the class who speak it, whenever it may be necessary to do so.

It may here be mentioned that this country having been formerly under Mahomedan rule, the number of people who are acquainted with the Hindustani language, exclusive of those whose proper language it is, is very great indeed.

The Assistants generally speak only Hindustani; but as this is essentially the spoken and business language of the Cutcherry, they are able to get through their work as far as this point is concerned, without difficulty.

You ask, in the seventh paragraph of your letter, whether the review of Criminal cases involving minor punishments is a fiction. It can positively be affirmed that it is not; the review of those minor cases is essentially the Assistant's duty. It would be impossible for the Superin-

tendent to do it compatible with the other calls upon his time; but the report is gone through, and an order passed in every individual case. And should the matter appear to require further investigation, the parties are ordered up, and the matter takes the form of a regular enquiry. The mode of procedure is in this way rapid, but it cannot be looked upon as any the less effective.

All cases forwarded to the Commissioner are forwarded complete, with an opinion regarding the guilt or innocence of the parties attached to them; and in this form they are submitted for his orders. Should he, on a review of the proceedings, consider it advisable, he can, and does of course, call for the attendance of the prisoners, or other parties. But it is unusual for him to do so, as the Superintendent's proceedings are expected to be in so complete a form as to require nothing beyond review and decision.

In original civil suits above Rupees 5,000, and even in appeal cases, the evidence is taken in the Superintendent's presence, though not always by him. He could not afford the time to take it himself. When evidence is required, the parties are summoned, and the Judicial Sheristadar, or whoever may be appointed for the purpose, takes down the evidence in the Superintendent's presence; and after it has been taken, it is read over to him; and should he have any additional questions to ask, he puts them. More than this the Superintendent dare not attempt; but as the witness is present when the evidence is read, falsification is not an easy matter. In appeal cases, an abstract of what has formerly been done in the matter is made out; and that abstract, together with all the papers, is brought up; and whenever a doubt arises, the paper or evidence is at once caused to be read; and, should it be necessary, the parties are again summoned; and the Decree, with the reasons upon which it is based, is then written out by the Superintendent himself in English, and sent into the office for translation into the Native language.

I think I have now answered all the questions put in your letter under reply. Whether the answers are such as you require, I am unable to say; but I think they will show you, at least in part, what you require to know. If I went more into detail, which I could easily do, and for which I could find ample matter, I should be obliged to delay this letter for a considerable time, as such details are not to be described without considerable leisure, and that I have not at disposal. I shall, however, be but too glad to afford information on any particular points which you may deem it necessary to call upon me to elucidate.

I have the honor to be,
Sir,
Your most obedient Servant,
J. L. PEARSE,
Officiating Superintendent, Bangalore Division.

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APPENDIX No. 615

Papers respecting Mysore.

No. 605.

SUPERINTENDENT'S OFFICE,
MYSORE, 30*th July* 1856.

From

CAPTAIN T. CLERK,
Superintendent of the Astagram Division of Mysore,

To

H. RICKETTS, ESQUIRE,
Commissioner for the revision of Civil Salaries and Establishments throughout India.

SIR,

I have the honor to acknowledge the receipt of your letter No. 282 of the 16th Ultimo, and in reply to state that the two Circulars therein alluded to have been duly received, and the information called for furnished. I shall, in the present communication, therefore, confine myself to replying to the queries contained in your letter under acknowledgement, in the order in which they are put.

With regard to the 2nd Paragraph of your letter, in which the different duties of the Superintendent are detailed, and a question asked, as to how I can get through the work, I beg to state that you have rightly apprehended the nature and scope of the duties required from a Superintendent in Mysore. These duties are no doubt laborious in the extreme; but, except when my health has failed, I have hitherto managed to perform them with the help of one Assistant, by applying to them the time which, in more favored offices, would very properly be devoted to exercise and recreation. It must be remembered too that the union of the offices of Collector, Judge, and Magistrate in one person, is so congenial to the native mind, and chimes in so well with all his habits and traditions, that the work which devolves upon the one sole authority is by no means to be regarded as being treble that which falls on each of the three authorities when separate.

For six months in the year, and frequently more, the Superintendent is out in the District under canvas, making the annual settlement, distributing Puttahs, and hearing complaints. And both during this tour, as well as during his stay at the Head Quarters of the Division, he is frequently compelled to work from seven in the morning to seven in the evening, while his native subordinates sit at their desk till 9 P. M.

My Assistant exercises very much the same power as a Sub-Collector in the Company's Districts. He is entrusted with magisterial authority, but does not interfere in Judicial matters; he has charge of ten Talooks, and settles the Jummabundy of such as I may allot to him. During the past seven years, there have been three holders of this Office, including the present incumbent, in Astagram. In no case, however, were they raw hands, but had gone through some years of training in other Divisions, or under the Commissioner. For this advantage I am indebted to the circumstance peculiar to my Division, of a special deputation allowance being granted to the officer serving in the old Munzerabad Fouzdari.

An additional help has of late been afforded to me by the Commissioner, in the person of the Junior Assistant carrying on the duties connected with the Palace at Mysore, to whom I have committed the charge of two talooks, the affairs of which he conducts under my immediate supervision.

With regard to the enquiries contained in the 4th paragraph of your letter, I beg to state that there are 1004 Shanbogues in the Division, their salaries varying from Rupees 6-11-8, to two cash, or one sixth of a Company's Anna per mensem; and 324 Shaikdars, receiving from ten to five Rupees. The former, whose Office is hereditary, is Village Accountant, and he is subordinate to the Shaikdar, who sees that the accounts are prepared, examines and checks them, and is jointly responsible with him for their accuracy. The Shaikdar again occupies the same position towards the Amildar as the latter does to the Superintendent. That is to say, he reports to him

every occurrence in the Hobly, and is entirely guided by his orders. All offences of a trivial nature on the part of a Shaikdar are punished by the Amildar himself, by fine; while those of a more serious nature are reported to the Superintendent. The Shaikdars, considering the responsible nature of their office, the large sums of money that pass through their hands, (in some cases as much as seventeen thousand Rupees,) the smallness of their salaries, and the strong temptation they are subjected to, are, in the main, trustworthy. The Shanbogues who have, from time immemorial, looked more to the perquisites of their office than the salary attached to it, which is in very many cases merely nominal, are not so much to be trusted, but the Sirkar suffers more than the Ryot, who at once presents himself before the Superintendent to complain if the Shanbogue or any other Village Officer attempts to levy any unusual fee from him; while on the other hand, when the Sirkar is the sufferer, both the Shanbogue and the Ryot are alike interested in concealing it. The perquisites referred to as appertaining to the office of Shanbogue, are a share of the Buttayee produce, and a small fee from each Ryot for keeping his accounts. The Amildars, with three exceptions, are natives of Mysore; and the other subordinate native servants, with a few exceptions, are Mysoreans also. The suits decided by the Amildars for sums under twenty Rupees, and without a record, are satisfactory. I can only find that 84 such cases out of 2135 have been reheard within the past three years; and of these, the decisions of the Amildars have been confirmed in all but four cases.

The language of the country is Canarese; but from the circumstance of Mysore having been for a long period in the hands of a Mahomedan sovereign, Hindustani is pretty generally made use of throughout the district, and that is the language in which I and my Assistant conduct our duties. I can read, write, and speak the language, and my Assistant can do the same. There are few inducements to make the Canarese language an object of study for Officers in the army, and certainly no one in this Commission has any leisure to pursue it. And if the Assistant Superintendents were to be called upon to pass any of the fashionable examinations of the present day, it would be absolutely necessary to relieve them for a time from their duties.

With regard to the queries contained in the 5th paragraph of your letter, which relate to Criminal procedure, I beg to state that every Criminal case tried by the Amildars, however trivial, is reported to the Superintendent; and if any thing in the calendar should call for remark, or any complaint be made by the parties to which the case has reference, the record of the case is called for; and if necessary, the case is reheard. This, however, relates only to cases of minor importance. In others, the Amildars send the proceedings at once to the Superintendent, who either decides the case himself, returns it to the Amildar to be settled by him, or makes a further enquiry, as the circumstances of each case may demand. Many cases are referred by the Amildars to the Superintendent, which ought to be settled in the Talooks, and such cases I return.

In Criminal cases which involve a punishment exceeding my powers, I send the record of the case, with my opinion, to the Commissioner. It then rests with the Commissioner either to decide the case on my proceedings, or summon any, or all of the parties to his presence.

In original Civil Suits above 5,000 Rupees, the evidence is taken in my own presence.

Having answered all your queries, I have only to add that, in my case, the ordinary duties of a Superintendent, which are very trying, are rendered heavier by having to look after this large City, containing between sixty and seventy thousand inhabitants; and the presence of the Court does not tend much to lighten my labors. In a word, it is a life of absolute drudgery; and the wear and tear, mental and physical, excessive. But I have a natural pride in my position, and a thorough confidence that I shall enjoy the support of my superior as long as I deserve it; and I am therefore well satisfied with being Superintendent of the Astagram Division of Mysore.

I have the honor to be,
Sir,
Your most obedient Servant,
T. CLERK,
Superintendent, Astagram Division.

APPENDIX No. 614

Papers respecting Mysore.

No. 396.

NUGGUR DIVISION SUPERINTENDENT'S OFFICE.

From

LIEUTENANT H. M. ELLIOT,
Acting Superintendent of the Nuggur Division,

To

H. RICKETTS, ESQUIRE,
Commissioner for the revision of Civil salaries and Establishments throughout India.

SIR,

I have the honor to acknowledge the receipt of your letter No. 282 of the 16th June. In it I observe that you request the fullest details of the system of management under the three heads of Revenue, Magistrate and Judicial, and my deliberate opinion as to whether the Establishments for these departments are equal to the demands made on them. I shall endeavour, therefore, in my reply, to adhere to the above order in giving you as much information as I can.

1. In consequence of the great state of anarchy that the country had got into under the administration of the Rajah, it was taken under European management, and Superintendents were appointed, who, being anxious to acquire all the available information on the resources of the country, naturally applied to the Shanbogue, or village accountant, for it; such records as were lodged in the Talook Cutcherries being too vague and meagre to be of any material use, owing to the above cause.

2. From the Statements and Accounts of these Shanbogues, all the knowledge we now possess of the assessment and tenure of land, was originally obtained; but from the fraudulent alterations and mutilations the latter have been subjected to at different times by the Shanbogues, they are utterly worthless as an authentic record. Nevertheless such as they are, there being no others, they must be followed, or at all events taken as the basis on which to form an opinion, in all matters relating to accounts. From the above allusion you will see I have no reason to believe that their character differs in any essential point from those of incumbents of analogous hereditary offices known throughout India by the designation of Kurnums, Putwarries &c, &c; and this will, I trust, prove a sufficient answer to your question regarding the trustworthiness of the Shanbogue. It is probable that the Government has been the principal loser by their frauds, but that considerable injustice should be inflicted on many of the cultivators was also inevitable. Much of the latter evil has, however, been gradually remedied by the discretionary power granted to Superintendents, and by investigations and measurements as complaints were preferred, and no doubt the power of the Shanbogues, as a body, is at the same time diminished in proportion as information is gained.

3. There are 284 Shanbogues, and the total of their pay from Government amounts to Rupees 601-15-6, which gives an average to each man of Rupees 2-2. The highest paid receives Rupees 4-8, while the lowest only gets five annas; of each of these classes there is but one man.

In one part of one Talook, they get no pay at all, receiving instead land assessed at Rupees 871-2, for a quit rent of Rupees 137; thus enjoying Rupees 734-2 entirely free from any rent; of this class there are twentyseven men, which makes the average of their pay nearly Rupees 16-8 per annum each, or Rupees 1-6 per mensem. Such pay would, at first sight, appear a very inadeqate remuneration for men employed in such responsible situations; but from the present defective state of the accounts it is impossible to determine the exact amount they receive indirectly from Government, as no calculation can be made, at present, of the value of the lands attached to their offices, or of the profits derived from other sources. This, and the extent to which Government has been defrauded, can never be accurately ascertained, until a Revenue survey is made. The duties of the Shanbogue have been so fully detailed in the General memorandum, it will be simple repetition did I mention them here.

4. In the month of August, the Shaikdar, accompanied by the Shanbogue, usually proceeds on what is called his Pahanee, a Mahratta word signifying inspection. On such occasions, they together visit every village, and every field in the villages within their range; and for each village, what is called a Pahanee book is kept by the Shaikdar; this contains the No. written consecutively, name, and rate of assessment of every field under cultivation, the name of its present owner or cultivator, together with the increase or decrease over last year's Jummabundy, and the description of crop it is cultivated with. On arrival at a village, the Shaikdar is enabled, from his Pahanee book, to tell the state of the cultivation last year, and from the orders about cultivation that he has been receiving, from the Amildar, the alteration to be made in his book for the current year. Thus each succeding year's book is compiled from that of the preceding year as far as regards the number, name, and rate of assessment on the field; the rest, of course, having to be filled up according to circumstances; and any information regarding accounts, not to be gained from the previous Pahanee books, is always procurable from the Shanbogue; but when once thus obtained, it can never be altered, except under the express order of the Superintendent, after due enquiry. Having ascertained the alterations to be made, each field under cultivation is then visited, and in the column of remarks in their respective books is entered the state in which they find the crop. The book is then checked by a comparison with the orders received from the Amildar, which proceeding immediately enables them to see whether all the land that has been previously allotted for cultivation has been tilled, and whether there is any concealed cultivation; which, when discovered, is at once brought to account. The great check, then, of the Shaikdar over the Shanbogue lies, not so much over the accounts, as to the manner in which the Shaikdar is enabled, by his Pahanee book, to control the commission of any fraud on the part of the Shanbogue in the state of the cultivation for the current year. The Pahanee book, after its completion by the Shaikdar, is given to the Amildar, who uses it in his tour, at once as his guide and check, in all matters of dispute with the ryots, and in his references to the Shanbogue. These books, having been regularly kept in the Talooks for the last twenty years, form the only record of accounts that we possess regarding assessment. The Shaikdars are generally speaking brahmins, and, like all natives, they will cheat if they can. But the opportunities for cheating or collusion on the part of these servants, are greatly lessened by publicity in the distribution of the puttahs, which enables the personal malice of enemies of either party, to gratify private animosity by bringing their frauds to light while a strong hold is had upon the Shaikdar, by a knowledge that his appointment depends on the honest discharge of his duties; whereas, as an incentive to this, he is aware that his future hopes of promotion rest thereon. There are 125 Shaikdars drawing a total monthly pay of Rupees 736, which gives an average to each man of nearly six Rupees. The greater proportion of them are, I believe, inhabitants of the Mysore Country.

5. The Amildar is responsible for all that goes on in his talook, but the revenue duties of it may be more particularly taken as his peculiar province. All the chief disputes involving revenue points, are personally enquired into, and settled or reported to the Superintendent by him. He stands in the same relation to the Superintendent in regard to his talook, as the Shaikdar is

to him in regard to his Magany. The great checks of the Amil over the acts of the Shaikdar, consist in the reports that he is continually receiving from him, many of which are simple replies to his orders. Still, from them, those received in a tabular form, and those of a routine nature, he is enabled to know what orders have been carried out, if the land under cultivation is on the increase or decrease, and the causes for the latter, the state of the weather and the standing crops, general health of the people and their cattle, the number of either that have died, and the consequent distress and loss of revenue to Government; also the number of ryots who have absconded; and through enquiry into complaints relating to these points, or by the personal inspection of himself or his Peshcar, whenever they may proceed for any purpose into the Maganees, he can satisfy himself of the truth or otherwise of these reports; and if there is any other circumstance of which the Amildar should be cognizant, such as the bursting of a tank, or other damage to any work of irrigation, report is immediately made of it. In fact, it is impossible for the Amildar not to be aware of everything that goes on in the different Maganees of his talook.

6. On a petition of application being presented for a piece of land for cultivation, or indeed for any other purpose, or on an application for an exchange of land, the Amil writes an order to the Shaikdar, to call upon the Shanbogue for his accounts, and to go with him to the field indicated by the Petitioner, and to find out the number and assessment of the field; and, if uncultivated, and there is no other objection, to hand it over to the Petitioner. It may then be considered in the Petitioner's possession for cultivation, and as long as he continues to pay regularly its rent to Government, no one can oust him from it; and unless he encroach or extend his cultivation into the surrounding waste, his assessment is seldom increased. In the event of a fraud in the assessment being hereafter discovered and proved, it is always brought to book; it is left, however, to the discretion of the Superintendent, whether or not the increase shall be put on the holder; but should it be the other way, and the extra have to be remitted, this, as soon as it is discovered, is invariably at once struck off. On his tour, the Amildar makes a full enquiry into the circumstances of every ryot paying dues to Government; and after satisfying himself by enquiry from the Shaikdar, Shanbogue, and Potail of the village, of his real status, he enters into the Jummabundy Chitta a precise statement of each ryot's holding according to the Pahance book, writing also all the dues to be paid by him to Government; and, at the foot of all, are stated his decisions. These chittas being all prepared, are kept till the arrival of the Superintendent, who, with the assistance of his Head Sheristadar and his department, overhauls each separate chitta, and confirms or reverses the decisions entered by the Amildar. Each chitta having been in this manner scrutinized, and the Superintendent's remarks filled in, the signatures of all parties concerned are affixed thereto. Exact copies of the contents of the chitta are then made out, and handed to the ryot, and form his puttah, and as many of these are distributed in the presence of the Superintendent, as it is possible to have prepared before his departure from the talook. The attention of the Amildar will now be almost entirely devoted to enquiring into and reporting upon the sundry disputes that remained unsettled on the Superintendent's departure. The duty of the preparation of the numerous Jummabundy and other accounts devolves, in consequence, upon the Sheristadar of the talook; the Amildar reviewing them, and transmitting them to the Superintendent on their completion. These may be considered the chief duties of the former Officer, but both he and the Peshkar are liable to be called on to perform such minor revenue duties as the Amildar may think proper to name them to. From all this it will be seen, that the Amildar's revenue duties alone are onerous in the extreme, and to perform them thoroughly, he ought to be continually on the move, seeing as much as possible with his own eyes; and that they require the services of a man of great mental, as well as bodily powers.

7. The Amildars of the Division are either inhabitants of the Mysore Country, or natives of the surrounding Districts of Canara, Dharwar, or Bellary.

8. On the reports that the Amildar receives from the Shaikdar, he frames his own, on the same subject, to the Superintendent. The various reports, returns, and accounts received from

the talook in the Revenue and Sayer Departments, as well as those received from the Treasury, it is of course perfectly impossible for any Superintendent to go into in detail; so after their receipt, their general drift is made known to him, and they are sent to be digested by the Head Sheristadar and his department. It will be needless, I think, for me to enter here into my relation with this Department; for the duties they perform, and the relation in which they stand to the Superintendent, must be similar to the Collector and his Head Sheristadar, and the duties performed by them all over India. From my very short experience, I can hardly venture to offer a deliberate opinion, as to whether the strength of the Establishment is equal to the amount of work required of them; but I should fancy they might advantageously be increased. I am certainly inclined to think that the Talook Establishments are much too small for the arduous duties demanded of them.

9. The Examination of the Treasury is another part of the Superintendent's duty. This is done once every month, in conjunction with the Head Sheristadar, who overhauls the accounts, while the total amount in the Treasury is being counted in the presence of the Superintendent.

10. I must not omit to state here another very important duty of the Superintendent, viz. the hearing of the complaints which are daily preferred in person to him, and those written from the different talooks. By a strict and minute attention to these, their nature and style, he is enabled to form a very fair notion of the working of his Amils. The greatest facility and fullest encouragement are therefore given to complainants, both on the occasions of his visiting the talooks, and while at Head Quarters. The people of the country feel and acknowledge this, by taking every advantage of it. Assuredly many false and frivolous complaints are preferred, and much precious time is often wasted in trying to sift out the truth of such; but it not unfrequently happens, that much valuable knowledge is gained in this manner, and, when judiciously used, turns out beneficially.

11. The offices of Magistrate and Criminal Judge are united in the person of the Superintendent. The immediate agents of the Superintendent in the administration of Police are the Talook Amildars; more remote the Potails, with the inferior Village Servants, aided by the Cundachar or stipendiary Military Police peons, under the orders of the officers attached to that body. The performance of certain Police duties, such as keeping the hedge or other defence of the village in repair, seeing that the watchmen mount guard at night, and taking precautions against fire, and such like, belongs to the Potail as head of the village; but Potails have no power to inflict punishment for any offence, however trivial; such authority extending no further than the Amildar. The Potails, as is usual in Mysore, are holders of land at a favourable rate, as a recognition, rather than a remuneration, for the services they are expected to render to the Government. For I believe the influence conferred, and the status they acquire by their office, are more looked to than the direct profits from the emoluments.

12. In like manner, the Shaikdar is, ex officio though not exclusively, a police officer.

13. The Cundachar forms a separate department, the Officers of higher rank being exclusively Police officials, while the casual employment of peons in the collection of the revenue is authorized. All promotions are made by the Superintendent, and the Cundachar of every talook are regularly mustered and inspected by him on his annual tour. The total strength of this body of policemen, including all grades, is 2501.

14. All these officials are subordinate to the Amildar, who, in every talook, is the responsible Head of the Police before whom cases of every description are brought. The recognised Assistant and Deputy of the Amil in this branch of his duty, is the Peshkar; he conducts the preliminary investigation of such minor complaints or charges as are brought forward in the usual routine of police business. The statements of complaints, and depositions of witnesses are given before him, taken down under his direction, and then submitted to the Amildar, to whom they are read over in presence of the parties, and who then makes any further enquiry that may be

necessary, and disposes of the case. The punitive power entrusted to the Amildar is too limited to admit of his disposing of cases other than those usually styled petty offences. A record of the Proceedings of such cases is always made out, but this contains only a brief abstract of the complaint or charge, the substance of the evidence, and the decisions.

15. For the Superintendent to review satisfactorily each individual case of this description occurring in the Division, would be clearly impracticable; to do so cursorily would but multiply business, without gaining any corresponding advantage; and I do not apprehend that it was ever intended to convey the impression that the attempt was made. The brief record of proceedings kept, enables the Superintendent to call for any case, and examine the grounds on which a decision is given, should any complaint of arbitrary treatment, or unjust sentence, be preferred through the medium of the Firyad Department. And the comparative paucity of appeals of injustice in summary magisterial decisions by the Amils, seems to warrant the conclusion, that the authority placed in their hands is, generally speaking, exercised with moderation and judgment.

16. Every individual charged with any offence which would appear to involve a heavier punishment than an Amildar is competent to inflict, is brought to trial in the talook in which the offence was committed. The evidence is recorded at full length, and on it a verdict of guilty or not guilty is recorded by a Punchayet then assembled, to which the Amildar adds his opinion, acquiescent or dissentient, as the case may be. The Amildar's report is expected to contain an account of every circumstance which has been elicited during the trial, and the Mahazur of the Punchayet to state at length the grounds on which they have arrived at their finding; and, if they have rejected any of the evidence adduced, their reason for so doing. It is also intended that they should act as the Amildar's assessors and coadjutors in finding the fact. The trial in the talook is, however, never looked upon as a final one, but it is intended that the publicity given to every Criminal enquiry, by the employment of the Punchayet, will at once prove a check to the exercise of any arbitrary power by the Amildars, and also ensure a more full and regular investigation than might otherwise be made.

17. The examination and review of cases so prepared, form the bulk of the current Criminal work of the Division; and it is the peculiar province of the Superintendent to scrutinize the proceedings of the talook authorities, and decide whether the finding of the Punchayet, and opinion of the Amildar, are consistent with the evidence brought forward.

18. In all cases in which confession by the accused has constituted the principal, if not the only evidence of guilt, the Superintendent satisfies himself by examination of the prisoner, that his confession has been voluntary, and that no unfair means have been used to extort it, and corporal punishment is never inflicted on Juvenile offenders but in presence of the Superintendent.

19. The decision of claims brought forward with regard to property unclaimed at the time of the owner's decease, forms part of the usual daily routine; while all circumstances of uncommon occurrence are also reported in the Department.

20. In such cases as come under the head of theft, when the property is of no great value, and other offences of a like nature, cognizable by a Magistrate, if the proof of the crime be clear and satisfactory, the Mahazur of the Punchayet in accordance with the evidence adduced, sentence is passed, or releasement ordered, on the Proceedings as received from the talook. But whenever there is any reason to consider that a verdict of acquittal has been passed inconsistent with the evidence, that any evidence has been suppressed, or witnesses tampered with, the Superintendent either commits the prisoner for trial before one of the Moonsiffs of the Division, or sends for the parties and witnesses, and tries the case himself. All offenders charged with crime of more heinous nature than the above, are, whatever may have been the verdict of the Talook Punchayet, subjected to a second trial before the Moonsiff, who refers the case to the Superintendent if the extent of punishment he is empowered to inflict appears inadequate, and when only authorized to investigate the case.

21. The proceedings of the graver cases, which appear to the Superintendent to call for punishment heavier than he is authorized to inflict, are, when returned from the Moonsiff's Court, transmitted for the Judicial Commissioner's decision, with the opinion of the Superintendent; but the prisoners and witnesses are never forwarded.

22. The interior economy and discipline of the Jail receive as much of my attention as I can devote to them, and the distribution of the prisoners, the extent and nature of the work executed by them on the roads or elsewhere, form the daily personal report of the Darogha; all other circumstances being reported in the usual manner in the Department.

23. The statistical statements forwarded periodically by the Amildars are, some purely matters of account, which are at once referred to that department; others enable the Superintendent to institute comparisons between the state of crime in different talooks, and no subordinate servant can be fined without the reason being stated in the return kept for the purpose. Any servant who considers himself unjustly treated, has an opportunity of appealing against the order of the Amildar.

24. The Superintendent cannot undertake personally the examination of witnesses, except in the trial of some of the more serious cases; and his duty consists chiefly, in the exercise of as vigilant a supervision as possible over the conduct of Amildars in their character of subordinate magistrates, and the careful revisal of the proceedings of the Moonsiffs as Judges; but the consideration of the records submitted for his decision from the talooks, and those returned from Moonsiffs, constitutes a most onerous and important duty; and as he is dependent on the talook authorities for the preliminary enquiries and preparation, in its earlier stages, of every Criminal case, he must rely in a great measure on the activity and trustworthiness of the Amildar, and the intelligence and impartiality of the talook Punchayet, for a true statement of the original facts, and an estimation of the value of the evidence adduced during the investigation. When these essentials appear to be wanting, he must trust to the ability of the Moonsiff and his own exertions, for eliciting such information as will enable him to arrive at a just decision.

25. The information you request in your letter on the several points connected with the administration of Civil justice, can be supplied more briefly.

26. As the return shews, the number of Original suits for sums exceeding Rupees 5,000, filed in the Superintendent's Court, is small, and as regards the actual hearing of Civil Suits the Superintendent's work is therefore light. In the admission and course of suits of this description, the evidence, pleadings, &c, the procedure is identical with that prescribed for the inferior Courts; plaintiff, defendant and witnesses being heard before the Superintendent. His principal native assistant is his Judicial Sheristadar.

27. In addition to the regular appeals from the Moonsiffs' Courts, the usual daily Adawlut business comprehends the hearing and dictation of the replies to all urzees received, in which instructions are requested by the lower courts, on points where doubts have arisen regarding the application of the Code of procedure, or on any other contingency which may occur in the course of practice. A direct control is also exercised over the proceedings of the Amils' Courts in matters of detail. All applications for attachment of property, and execution of decrees by sale of effects, or procedure against the person of defendant, are forwarded direct to the Superintendent by Amildars, when the applicant is a decree holder of their Courts; and he investigates and determines the rights of claimants, mortgagees, or others, to property attached. And finally, he admits or rejects irregular appeals, as they are termed, being those presented against the decisions of Amildars in petty suits for sums under twenty Rupees.

28. With regard to the subject of these, I append the comparative statement you require; shewing the numbers filed, and the decisions appealed against; and in reply to your question, as to whether or not the judgements given are generally satisfactory, I would remark, that if the

proportion of appeals made, to the number of suits filed, was adopted as a criterion for judging of the manner in which the Amildars discharge this part of their duty, the conclusion drawn would be very favorable to them. And I consider that even after taking into consideration the causes in operation, which may possibly tend to keep down the number of appeals, the results still appear satisfactory. On the presentation of an appeal, the party appealing is liable to be called before the Superintendent, and required to substantiate his allegation of partiality or corruption. A considerable number of these suits must necessarily be brought by persons to whom the loss of time resulting from their personal attendance at the Cusbah of the Division, or the Superintendent's camp, would outweigh the advantage they would gain by the reversal of an adverse decree for so small an amount; and even in the case of poorer suitors, detention for an uncertain period, at a distance from their homes, would deter from appealing, many who considered they might do so with success. The petition of appeal generally asserts, that the evidence brought forward by the opposite party is false, or that proof is producible which was not available at the time of trial. They seldom, if indeed ever, contain allegations of corruption on the part of the Amildars, or reflections on their partiality as Judges. It is at times stated, that the hearing of the case has been unfairly deferred, or it has not been fully investigated; and complaints are sometimes made, that the Gomashtas who prepare the cases are actuated by interested motives. No doubt many such cases occur, and to prevent them is an impossibility; but the proceedings are quite public, and if the injustice committed were systematic, it could not long remain unknown, but would destroy the present popularity of the Courts.

29. In this outline which I have endeavoured to give of the work really performed by the Superintendent in his various capacities as Collector, Magistrate, and Judge, you will have perceived that much of the work has been delegated to natives; but in so very extensive a district, and with a population of nearly three quarters of a million of people, it is impossible but that the details should be relinquished to subordinates, especially when such very slight European aid is at the command of the Superintendent.

30. I will now proceed to answer the remaining questions in your letter. I was myself the Assistant in this Division seven years ago; and during that time, besides the present Assistant, there has only been one other, so that the average period during which the Assistant has remained unchanged in that time is rather better than two years, unless I include another Assistant, who was employed for a short time as an extra Assistant in the Division, on the representation of the Superintendent at that time, of the heaviness of the work on hand. I am at present acting in my appointment, the permanent Superintendent having been obliged to leave the country on sick certificate. I found on my arrival, that my Assistant, Mr. Hay, had the charge of the Revenue of five talooks, with the whole of the current Civil business of the Division, and the irregular appeals of all kinds. These he goes into and decides, and these decisions are brought to me for confirmation. He has also the superintendence of all the Police in the Division. After some time I considered it advisable to hand over to him the whole of the Magistrate and Criminal work, delegating to him the powers given in Criminal cases to the Moonsiffs, viz. two years. And being anxious to acquaint myself with all the details of the Revenue system throughout the Division, I took from him the charge he exercised over the five talooks in Revenue matters. The monthly counting of the Treasury is usually performed by the Assistant. From this you will perceive that the work to be performed by the Assistant is by no means light.

31. The work I retain for myself consists in, the Revenue of the fifteen talooks; the regular appeals from the lower courts, and the original suits of this; the Firyads, and the reviewing and deciding Criminal cases requiring punishment exceeding the power of the Assistant to give. All this is no small labour for one man to get through; and to do it with satisfaction to myself, I find I am obliged to divide the work for the week. By this arrangement, I gain more time each day for the performance of the multifarious odds and ends to which my attention is daily called. But even with this division of labour, I am seldom less than from ten to eleven hours at

work every day of my life, Sundays and holidays excepted. Of this, from eight to nine hours are spent in the office, and one or two in doing work at home. And if it was not for the sake of my health, I could occupy, with much advantage, the couple of hours devoted to exercise in the morning, and which of course becomes the only time that can be given up to inspecting the work performed by convicts, or any work of public utility going on in the neighbourhood; or settling any revenue dispute that is within a reasonable distance, and which can be better done on the spot by personal inspection and reference to the villagers.

32. I regret to add that I cannot read, write, or speak the language of the country, which is essentially Canarese. But from having mixed with the people in one way and another, I have been enabled, from my intercourse with them, to gain a knowledge so far as to be able to understand the general drift of a conversation. Mr. Hay, who has not yet been two years employed in the Commission, has, by great diligence, and by occupying his leisure hours in the study of this very difficult language, gained a very fair knowledge of it, quite sufficient for all practical purposes.

I have the honor to be,
Sir,
Your most obedient Servant,

H. M. ELLIOTT,
Acting Superintendent.

SHEMOGA,
11*th August*, 1856.

APPENDIX No. 614

Papers respecting Mysore.

STATEMENT SHEWING THE NUMBER OF SUITS FOR LESS THAN TWENTY RUPEES DISPOSED OF IN THE TALOOK COURTS OF THE NUGGUR DIVISION, AND THAT IN WHICH APPEALS WERE ADMITTED ON SPECIAL GROUNDS, FOR THE YEARS 1853, 1854 AND 1855.

YEARS.	Total number of suits for less than twenty Rupees disposed of.	No. of cases in which appeals were presented on special grounds.			
		Suits in which the appeals were rejected.	Suits in which the Amils' decrees were reversed.	Total number of Suits.	
1853.....	1,169	39	8	47	
1854.....	1,242	33	8	41	
1855.....	1,221	23	4	27	
Total.....	3,632	95	20	115	

NUGGUR DIVISION,
SUPERINTENDENT'S OFFICE, SHEMOGA,
11*th August* 1856.

H. M. ELIOTT,
Acting Superintendent.

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APPENDIX No. 615

Officers of Mysore.

STATEMENT showing the Revenue Collections in the Mysore Territory, for the Year Ratchasa, or A. D. 1855-56.

Divisions.	Area.	Population	Revenue Collections.																					
			Land Revenue.			Sayer.			Abkarry.			Miscellaneous.			Total.			Extra Revenue.			Grand Total		
	Square Miles.		Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs	As.	P
Bangalore	5,695	11,37,252	16,18,539	8	2	1,85,063	8	0	3,53,363	12	0	2,23,157	15	11	23,80,124	12	1	56,948	12	8	24,37,073	8	9
Chittledroog	7,724	6,41,907	11,26,892	5	1	1,01,156	6	6	1,09,561	7	4	1,33,703	6	3	14,71,313	9	2	17,278	8	7	14,88,592	1	9
Astagram.....	7,493	11,50,617	16,19,307	15	4	1,08,972	1	8	2,37,315	2	2	2,55,909	4	8	22,21,504	7	10	1,19,105	12	6	23,40,610	4	4
Nuggur	6,091	6,84,148	13,98,708	7	11	4,82,189	13	8	69,579	8	10	37,033	5	3	19,87,511	3	8	89,922	5	7	20,77,433	9	3
Huzoor Treasury.....	.....	.....	.....			....			.....			.. ..			....			22,467	15	8	22.467	15	8
	27,003	36,13,924	57,63,448	4	6	8,77,381	13	10	7,69,819	14	4	6,49,804	0	1	80,60,454	0	9	3,05,723	7	0	83,66.177	7	9

N. B.—These collections are for twelve months.

M CUBBON,

Commissioner

Bangalore,
15*th August* 1857.

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APPENDIX No. 616

Officers of Mysore.

STATEMENT showing the Revenue Collections in the Coorg Territory, for the Year Ratchasa, or A. D. 1855-56.

	Area.	Population.	Revenue Collections.						
			Land Revenue.	Sayer.	Abkarry.	Miscellaneous.	Total.	Extra Revenue.	Grand Total.
	Rs.	Rs.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
Coorg.....	2,204	1,12,535	2,12,803 1 3	0 0 0	25,023 1 5	46,168 7 7	2,83,994 10 3	4,891 8 8	2,88,886 2 11

N. B.—These collections are for twelve months.

M. CUBBON,

Commissioner.

MYSORE COMMISSIONER'S OFFICE,
Bangalore, 15*th August* 1857.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

APPENDIX No. 617

Papers respecting Mysore.

MYSORE COMMISSIONER'S OFFICE.

No. 578.

From

The Commissioner for the Government of the territories of His Highness the Rajah of Mysore,

To

HENRY RICKETTS, ESQUIRE,
Commissioner for the revision of Civil Salaries and Establishments throughout India.

Dated, BANGALORE, 15*th August,* 1857.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 1081 of the 26th June last, and will do my best to reply seriatim to the questions contained in it.

1. Since the appointment of a Judicial Commissioner, the Second and Fourth Assistants have not been attached to the Head Quarters. The Second Assistant has been Acting Superintendent of Chittledroog, and the officer officiating in his room has been employed under the Judicial Commissioner. The Fourth Assistant, which is only another name for a Junior Assistant, was employed under the Superintendent of Astagram. He has lately been transferred to the Educational Department, and the officer who has succeeded him has been ordered to join his regiment on service. If it so happened that the Second and Fourth Assistants were doing duty in my own office, I should employ them in conducting enquiries into some of the many complaints which are preferred to myself personally, and which amount to between five and six thousand per annum, all demanding more or less attention and consideration; in drawing up reports on various subjects connected with the administration; or in assisting the Secretary in the general conduct of the correspondence, and management of the office. There are no duties specifically fixed to be discharged by the holders of these appointments.

2. "The Assistant who lives at Mysore, and attends to the duties connected with the Police," is the officer whom I was directed, on the abolition of the Residency, to detach to Mysore, to conduct the minor duties of that appointment, such as being the channel of communication between strangers and the Palace, and being in attendance on the Rajah on occasions of ceremony. Experience soon shewed that this did not furnish sufficient employment. So to keep the young officer holding the place from idleness, I directed him to take charge of the numerous Government Pensioners residing in the neighbourhood, and to assist the Superintendent in the Magisterial duties in the large town of Mysore.

3. My first Assistant is in charge of the Amrut Mahal Department, for which he receives an extra allowance of Rupees 400 per mensem. This is drawn from the Government of Fort St. George, and the allowance is a Military charge. The Amrut Mahal is the breeding Establishment of Public Cattle, and has been continued since the time of Hyder Ali. It is dispersed in separate pasture grounds scattered all over the country, and much attention is required to prevent

clashing with the Revenue authorities. Hence the charge of it is vested in one of my Assistants, under the orders of the Government of India, and I have united it to the post of first Assistant as the only plan by which I can get an Officer of experience and capacity to remain in the latter appointment on its present rate of pay.

4. The "Anchay" Department, is the local name for the District Post. It is besides, the Department of Intelligence, which was carried to a most extraordinary pitch of excellence under the Mahomedan rulers of Mysore, and is still a very useful auxiliary of the Government. The "Anchay" is now connected in its various ramifications with the local Posts of all the neighbouring Collectorates. I cannot recommend that any reduction should be made in this Department.

5. It would take up too much time to detail the duties of the Head Sheristadar of the Mysore Commission. It may be perhaps sufficient to say that, in the Instructions to the Commissioners, they were especially directed so to conduct the administration as to be able at any time to restore the Government into the hands of its Native Prince. Under these circumstances, the office of Head Sheristadar was naturally regarded as an office of the very highest importance. The predecessor of the present holder resigned the Dewanship of Travancore to take it up, and was much pressed by the Resident with the Nizam to accept the same post at Hydrabad. To make any change in the duties of the Head Sheristadar would be to alter the whole system of the administration, and I must say that the salary is not more than proportionate to the importance of those duties.

6. The Superintendents give "inconsistent accounts of the duties performed by their Assistants," and they do so for the following reasons. The country called Mysore, is an aggregate of small separate independent principalities, no two of which ever had, in all respects, the same institutions and mode of management; and each Superintendent being solely and entirely responsible for the control of his own Division, he is left to arrange, as he thinks best, all the minor details of its management. In some instances a Superintendent may feel that his strength lies more in one line than another, or he may think that his Assistant is better qualified for one branch of public duty than another. In such cases, I conceive that it would be injurious to tie the hands of a Superintendent, and I have always left to his own judgement to arrange the work to be done in the manner which he himself may consider most conducive to the public good.

7. It would have been easy to extend these replies to a much greater length, but I thought you would prefer to have them in as small a compass as possible. If however, you require further information on any of the points, I need not say how happy I shall be to endeavour to supply it.

BANGALORE,
15*th August*, 1857.

I have the honor to be,
Sir,
Your most obedient Servant,
M. CUBBON,
Commissioner.

APPENDIX No. 618

Papers respecting Mysore.

No. 415.

From

CAPTAIN G. M. MARTIN,
Acting Superintendent of Coorg,

To

The Secretary to the Commissioner for the territories of the Rajah of Mysore,
BANGALORE.

SIR,

With reference to the Commissioner's letter, No. 542 of the 5th August last, enclosing copy of one from Mr. Ricketts, Commissioner for the revision of Civil Salaries &c, relative to the duties of Officers and system of management in the Mysore Territory, and desiring me to reply to such questions in that document as I might deem applicable to Coorg, I beg to state that, being under the impression that all the questions which in any way referred to this country, had already been answered in the several statements previously furnished by me, according to the forms transmitted by Mr. Ricketts, I delayed answering the Commissioner's letter until now; but, on reconsidering the subject, it occurs to me that paragraphs 4, 6, 7 and 8 require a few remarks by way of answers to the questions which they contain.

There are 27 Naads or Hoblies in Coorg, and to each Naad, a Parputtygar and a Shanbogue are appointed. The Parputty is the next Officer to the Subadar, and he is responsible for his Naad as the Subadar is for his talook.

The Shanbogues are paid servants, receiving on an average seven Rupees a month. They are mostly Brahmins; whereas the Subadars and Parputtygars are invariably Coorgs.

The Shanbogue has to prepare, under the direction of the Parputtygar, the Jummabundy accounts of each cultivator; also the accounts of the collection; to write the receipts granted on payments of Kist; and to act generally as a Moonshy to the Parputtygar.

His accounts are easily checked, as the whole of the arable land of Coorg is measured, divided into lots, an assessment fixed upon each lot, and copies of this survey are kept, one in each Naad Cutcherry, and one under lock and key at Head Quarters.

The Subadar compares the Parputtygar's report with this survey and with the accounts of former years; carefully examining each case that differs from these records, correcting it accordingly, or reporting the result of his enquiry to the Superintendent.

The Mutsuddies of the Head Quarters Cutcherry proceed to each Naad, examine the Subadar's corrected accounts, prepare the Abstract of the Jummabundy Statement, and draw out the Pottahs, which are delivered by the Superintendent in person.

The Judicial procedure in Coorg is in every respect similar to that in Mysore, and the most exact details have been given in the Statement already furnished.

SUPERINTENDENT'S OFFICE,
COORG,
MERCARA, *7th October*, 1856.

I have the honor to be, &c.
(Signed) G. M. MARTIN,
Acting Superintendent.

(True Copy)
F. CUNNINGHAM,
Secretary.

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APPENDIX No. 620

Officers in Scinde.

No. 60 of 1852.

London, 1st December 1852.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

WE have received your letter in this department dated the 5th March 1852, No. 13, and its enclosures, wherein our attention is requested to the position of the Civil establishments in the province of Scinde, and to a proposition for re-organizing those establishments, and for a consequent increase of the salaries attached to the principal appointments in the province.

2. This important subject has been, for some time, under the consideration of the Government of Bombay. The revised establishments proposed to be introduced by the former Commissioner, Mr. Pringle, were submitted for your consideration by that Government in Mr. Secretary Courtney's letter of 21st April 1849; but we do not find that any decision was passed upon them. The present Commissioner in Scinde, (Mr. H. B. E. Frere), addressing the Bombay Government on the 20th February 1851, observed, that all the establishments are on a most limited scale as to efficiency, and that a thorough re-organization of the district establishments must precede any extensive or successful attempt to introduce a better revenue system.

3. With respect to the establishments of Scinde, while it may be essential that they should be organized to a considerable extent, the necessary information has not yet been furnished to enable your Government to determine either upon the expediency or upon the extent of the requisite changes, for Mr. Frere's report was unaccompanied by estimates of the establishments which he proposed, except that of the Commissioner's office, the cost of which involved an increased charge of Rs. 33,000 per annum. We are the more surprised, under these circumstances, that the Bombay Government should, as they state, have transmitted to Mr. Frere a copy of the letter which they were addressing to you, and have informed him that he was at liberty at once to commence arrangements of the nature contemplated in the 6th para. of Mr. Secretary Malet's letter to your Government. That paragraph embraces the new division of the Collectorates into districts, the sub-division of those districts and the provision of the newly-formed districts with adequate establishments, and it embraces likewise the suggestions made by Mr. Inverarity for accomplishing the above objects in Upper Scinde, which suggestions involve a large additional expenditure and a considerable number of new buildings.

4. According to the approximate estimate transmitted to you by the Government of Bombay, (but which was not furnished by Mr. Frere), the cost of the establishment in Scinde is likely considerably to exceed 13 lacs of Rupees per annum, and it would appear that the greater part of this

large expenditure may thus be regulated by the Commissioner in Scinde without his receiving your express and detailed sanction to his arrangements, although it was distinctly and properly intimated to Mr. Pringle, the former Commissioner, by the Government of Bombay, in their letter to him of the 21st April 1849, that previously to the adoption of any of the arrangements which he proposed, your sanction must be obtained. In that letter, moreover, the Government of Bombay insisted upon the necessity of introducing a more economical system of management in Scinde than that which then existed, and they expressly objected to the increase of the salaries of the Collectors as unnecessary and unadmissible.

5. The expenses of the administration of the province of Scinde already greatly exceed its resources, there is, therefore, the greater difficulty in adding to the amount of individual allowances. Before we can take into consideration any augmentations whatever of the present scale of salaries, we must be accurately informed what will be the entire cost of the revised establishments now proposed. We request you, therefore, to expedite, as much as possible, the preparation, by the Government of Bombay, of the detailed comparison of the Civil establishments of Scinde, which you have called upon them to furnish, and transmit a copy for our information with your opinion upon it. This paper will, we suppose, include the estimated cost of new buildings, of which we apprehend that many will be required. If it should not, we desire that Mr. Frere may be instructed to submit, as speedily as possible, an approximate estimate of the whole of the sum which it is proposed to lay out in buildings in Scinde, and may be informed that he must abstain, in every possible case, from the construction of such new buildings, until the proposition of that nature have severally received your sanction.

6. No alteration is suggested for the present in the pay of the Deputy Collectors; but the Governor of Bombay proposes to grant to them travelling allowance, when absent from head quarters, in such cases at least as it may appear to him advisable to do so. This suggestion may be considered when the whole question is before us.

7. With the view of affording the requisite assistance to the Commissioner (Mr. Frere) in the task of organizing the necessary establishments to carry out the contemplated revision of the revenue system of Scinde, he has been allowed the services of a Dufterdar, whose pay has been fixed at the same rate as is drawn by similar officers in the Collectorates in the settled provinces under the Rules* of 15th March 1824. We conclude that

* For the first ten years Rs. 300 per mensem.
For the next five „ „ 400 „
After that period ... ... „ 500 „

the office will be discontinued when the organization shall have been completed.

8. In carrying forward a general revision of the Uncovenanted Civil establishments of the province, we must impress upon you the paramount importance of exercising a vigilant supervision with a view to ensure the most economical result which may consist with due efficiency, and any arrangements which may be made, must be considered to be only provisional until they shall have received our sanction.

We are, &c.

(Signed) J. W. HOGG,

And other Directors.

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No. 1852 of 1853.

TERRITORIAL DEPARTMENT, REVENUE.

To

H. B. E. FRERE, ESQUIRE,

Commissioner in Scinde.

Bombay Castle, the 29th March 1853.

SIR,

GOVERNMENT have had under consideration your letters of 22nd April 1852, No. 139, and 11th August 1852, No. 256, relative to the establishments required for the administration of Scinde.

2. His Lordship in Council has directed me to forward to you the accompanying copy of a resolution No. 81, dated the 21st January 1853, and its accompaniment from the Government of India, from which it will be seen that the Hon'ble Court view with displeasure this Government having allowed you to make changes to the extent, and at the amount of expenditure contemplated by the Government letter of 17th October 1851, No. 9968, and such being the case, His Lordship in Council cannot but view with regret and dissatisfaction the proposals you have made for exceeding that amount.

Accompanying Copy A.

3. By entering in your letter of 22nd April, No. 139, the proposed salaries at the minimum standard, and omitting prospective increase, as well as the actual increase, on the heads of charge assumed in Government letter of 17th October 1851, No. 9968, to be continued as at present, you show an increase, consequent on your proposals, of only Rs. (100) one

hundred per mensem. A more complete estimate would, however, give the increase as follows :—

Increase according to your 30 para.	Rs.	100
Ditto prospective according to period of service in tabular statement ..	„	1,950
Ditto district travelling allowance do.	„	250
Ditto salary of Political Superintendent	„	500
Ditto establishment for Do. as per letter dated 15th July 1851 ..	„	254
		3,054
		12
Increase per annum ..		36,648

The increase on account of the two additional Assistants for the sequestrated territory may be regarded as distinct, having arisen from a cause which has originated since the date of the Government letter of 17th October 1851.

4. The amount of pay and allowances to be drawn by the Collectors was sanctioned by the Government of India, under date the 27th February 1852, and his Lordship in Council, on your placing before him and his approving of revised statement which will provide for the expenditure not exceeding the amount estimated in Mr. Malet's letter of 17th October 1851, will allow the two Collectors, Captains Preedy and Stewart, now on the spot, to draw the difference from date of receipt at Bombay of that sanction. You are clearly, however, to understand that Government do not approve, and cannot authorize your proposition for granting the Collectors permanent travelling allowance.

5. As regards Assistants, the rules on the subject of district travelling allowance in force in the older provinces should be followed, the pay and allowances of existing incumbents need not be reduced, but, in future, the scale prescribed by Government letter of 17th October, must be adhered to.

6. The pay of Uncovenanted Deputy Collectors and Magistrates should be regulated in accordance with the scale fixed in the despatch* from the Hon'ble Court, of which accompanying is a copy, as soon as natives can be found qualified for employment as district Deputies. Copy of Government letter dated 3rd December 1851, No. 11369, and resolution dated 23rd June 1852, No. 4289, showing the duties to be performed in the older provinces by district and hoozoor Deputies, is annexed.

See accompanying Copy C.

See accompanying Copy D.

7. You will be furnished, from the Political and Judicial departments, with the remarks on your proposition regarding establishment for the

* No. 42, dated 24th December 1851.

performance of duties in those branches of the service. You will observe that, notwithstanding the increase you are proposing to the large expenditure, Government were prepared to sanction the pay you have proposed for the Judicial officers, is considered insufficient.

8. From your letter of 11th August 1852, No. 256, forwarding a scheme for the revised hoozoor establishment of the three Collectorates in Scinde, Government observe that the estimated establishments for each of the three Collectorates:—

Revenue	1,600	
Judicial	1,420	
	3,020	
	3	
		9,060
DEDUCT—		
Moonsiffs' establishment not included in the present scale		1,800
Balance		7,260
ADD—		
Jagheer and Canal establishment not included in estimate		688
Total on scale of estimate furnished in Government letter, dated 17th October 1851 ...		7,948
Total of present scale		10,078
Increase		2,130
		12
Total per annum. ...		25,560

Allowing even for the extra establishment for Canal clearances in addition to the full district establishment, and for the Jagheer investigation establishment, an increase of rather more than a quarter of a lac per annum is involved in the scale you have proposed.

9. From the above you will learn that Government are unable to concur in many of the details of your proposals, and that they appear in the aggregate, present and prospective, to involve a considerable increase on the estimate which accompanied Mr. Chief Secretary Malet's letter of 17th October 1851.

10. You are requested to submit a revised statement, adhering as much as possible to the scheme developed in that letter, and you will bear in mind that Government have reason to apprehend, from the papers under acknowledgment, and several applications for sanction to expenditure, that you are not sufficiently alive to the imperative necessity which there exists for exercising the most rigid economy in administering the affairs of the country placed under your charge.

Accompanying Copy E.

11. Copy of a report by the Civil Auditor, and of my reply of this date, is annexed, and I have been directed to intimate that, in case of the establishment hitherto entertained not having amounted to the aggregate of the approximate estimate, no addition is to be made pending express sanction, and in case of the same aggregate having been exceeded, that immediate steps must be taken for the reduction of the excess. You are at the same time informed that the balance must remain unaudited, until fully explained.

I have the honor, &c., &c.,
R. E. GOLDSMID,
Secretary to Government.

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No. 1896 of 1856.

FINANCIAL DEPARTMENT.

FROM

LIEUTENANT-COLONEL JOHN JACOB, C. B.,
Acting Commissioner in Scinde,

To

THE COMMISSIONER FOR THE REVISION OF
CIVIL SALARIES, &c.
Dated Kurrachee, 5th July 1856.

SIR,

No. 388, of the 21st June 1856.

I HAVE the honor to acknowledge your letter as per margin, and taking its paras. *seriatim*, to supply the further information called for.

2. Your 2nd para. limits itself to acquainting me that, information as to the powers exercised by each class of officers in Scinde has been required from the Government of Bombay. I had hoped that my statement taken in connexion with Mr. Frere's letter forming appendix thereto, and illustrating itself by comparisons between the powers exercised by the Civil officers of the Punjaub and Scinde, (a mode of illustration which seemed well adapted to convey to you the precise nature and extent of those

Forming enclosure to letter No. 1264, of 17th May 1856.

powers) would have already placed you in possession of nearly all the information you might require under this heading. But should the details furnished by the Government of Bombay not suffice, I shall be happy to respond to any further questions you may deem it necessary to transmit.

3. The 3rd para. of your letter recapitulates the assertion made in my communication to the Government of Bombay on the 23rd February last, to the effect that an erroneous view had been taken of the grades and positions of Civil officers in Scinde; that the office and position of the Collectors in Scinde correspond with that of the Commissioners of divisions in the Punjaub; and that the office and position of Deputy Collectors in Scinde correspond with those of Deputy and Assistant Commissioners in the Punjaub. I beg to explain, therefore, that the erroneous view to which I referred is that which appears to me self-evident on the face of the memo. appended to the resolution of the Government of India now noted, an extract from which was transmitted to this office from the Hon'ble the President in Council of India in Council. This extract, a copy of which I have the honor to append, declared it to be the intention of the Indian Government to recommend to the Hon'ble Court, that the superior officers in Scinde should draw salaries according to the Punjaub scale; and its appended memo. (a copy of which is also forwarded) showed in detail the manner in which the proposed assimilation was to be carried out—namely, each of the three Collectors and Magistrates were to be allowed Rs. 1,500 per mensem, and the number of Deputy Collectors and Magistrates was limited to fifteen, sub-divided into four grades upon salaries of Rs. 700, 600, 500 and 400 per mensem respectively. There were to be maintained also three Judicial Deputy Magistrates upon salaries of Rs. 700 each, and three Assistant Collectors (being those whose duties would be the superintendence of Canal clearances and other irrigational works within the limits of their respective Collectorates) upon Rs. 500 each.

No. 3532, of 29th August 1855.

4. Now it appeared to me, and by a reference to Mr. Frere's letter above quoted, you will find that it appeared very strongly to him also, that in thus fixing the salary of a Collector in Scinde at Rs. 1,500 per mensem, he had been considered by the Government of India as being an officer charged with duties and responsibilities corresponding with those of a 1st Class Deputy Commissioner in the Punjaub, whose monthly salary amounts, as I learn from the Bengal calendar, to this identical sum of Rs. 1,500 per mensem, and that in fixing the salaries of the four grades of Deputy Collectors at Rs. 700, 600, 500, and 400 per mensem respectively, the Government of India believed the officers so designated to be entrusted with duties and responsibilities equivalent with those of the several grades of Assistant Commissioner in the Punjaub, who draw, as I learn from the Bengal calendar,

Rs. 700, 600 and 500 per mensem respectively. Whereas, in fact and in good faith, the Collectors of Scinde were charged with duties and responsibilities corresponding with those of a Commissioner of division in the Punjaub, whose salary is Rs. 2,750 per mensem; while the Deputy Collectors—unless for those styled supernumeraries, who were not provided for at all in the memorandum under notice—were in fact and in good faith, discharging duties and responsibilities equivalent with those of a Deputy Commissioner in the Punjaub, and therefore it appeared to me that the Government of India, misled probably by the unhappy selection of official designations in this province, had been drawn into the error of believing that a fair and equitable assimilation of the civil salaries of Scinde with those of the Punjaub would be effected by carrying into effect the provisions of the above quoted memo., while in fact and in good faith the provisions of that memo. resulted in devolving upon the Collectors and Deputy Collectors of Scinde, duties and responsibilities corresponding with those performed by officers of higher rank and salary in the Punjaub.

5. Your 4th para. informs me that a letter from the Supreme Government to the Court of Directors, dated 5th May 1854, in some degree confirms my representation recapitulated in your 3rd para. I am not in possession of any copy of the letter you allude to, nor have I seen any documents issued by the Government of India, authorizing or confirming the rates at which Civil salaries should be drawn in Scinde other than the memo. before quoted, and a letter now marginally noted approving the establishments organized by Mr. Frere, copies of all which documents are now forwarded for your information. I cannot, however, but surmise, that there must be some clerical error in the phrase, three Deputy Collectors and Magistrates in charge of districts; for it will, I think, be apparent to you, after a perusal of his letter and the detailed statements of the local officers about to be forwarded, that were an attempt made to carry on the fiscal and district Magisterial duties of this province with so reduced an establishment, its administration would come to a dead lock within a month's time.

No. 1852 of 1853.

6. Proceeding to the concluding portion of your 4th para., I beg to furnish the further particulars therein required relative to the "erroneous view" already explained in my 3rd and 4th paras. The assertion of this erroneous view assumed that under a misapprehension, whether of official designations or other data, the Supreme Government had, in their memo. of the 20th August 1855, been led into the error of assimilating the pay of those officers (the Collectors) in Scinde, who are charged with duties and responsibilities similar to those which in the Punjaub devolve upon Commissioners of divisions—to the rate of 1st Class Deputy Commissioners; and in like

manner that the salaries of the Deputy Collectors, who are really the Deputy Commissioners of Scinde, had been reduced to the rates allowed for Assistant Commissioners. That the *rates of pay* drawn under the provisions of the memo. by the Collectors and Deputy Collectors, *are really identical* with those drawn by 1st Class Deputy Commissioners and Assistant Commissioners, is, I think, evident from my 3rd and 4th paras. To prove my position then it remains only to show that the *duties* and *responsibilities* of the Collectors *are similar* with those of Commissioners of division, and that those of the Deputy Collectors are in like manner similar with those of Deputy Commissioners, and in doing this I propose to confine myself as much as possible to statistical facts.

7. Exclusive of the Thurr and Parkur districts lying to the South-east of Scinde, along the Runn of Cutch, which districts are at present under the charge of an Assistant Political Agent, and exclusive further of the North Western frontier districts under the control of the Political Superintendent on the frontier—the province of Scinde is apportioned into three divisions called collectorates, namely:—

Shikarpoor.
Hydrabad.
Kurrachee.

8. The area, population, and revenue of these three Collectorates are as shown in the following Table :—

Scinde.	Area Square Miles.	Population Souls. 1856.	Revenue. 1854-55.	
			Gross.	Net.
Shikarpoor Collectorate, exclusive of the frontier district and Ali Morad's Territory ...	11,532	6,50,394	Rs. 13,15,897	Rs. 11,45,253
Hyderabad Do. exclusive of the Thurr and Parkur districts ...	26,760	7,03,295	" 15,31,022	" 12,39,627
Kurrachee ...	19,240	3,24,646	" 9,94,750	" 8,06,784
Total ...	57,532	16,78,335	38,41,669	31,91,664
Average ...	19,177	5,59,445	12,80,556	10,63,888

9. Each of these three Collectorates is under one officer designated Collector and Magistrate, who, in his capacity of Collector, exercises a general control over the Deputy Collectors in charge of districts, over the Supernumerary Deputy Collectors holding no distinct or independent charges, over the Assistant Collector for Canal and Irrigational works, and over the settlement officers employed within the limits of his Collectorate. The treasury of the Collectorates is in his office ; in the discharge of his financial duties

he is assisted by a Deputy Collector in charge of the treasury. He performs an annual tour of his charge, inspecting the offices and accounts of the native district officials, listening to petitions, and suggesting and carrying out miscellaneous improvements. When practicable, the Deputy Collector in charge of the particular districts where the Collector may be moving, accompanies him.

10. In his judicial capacity, this officer, although styled "Magistrate," exercises the powers of a "Magistrate" and of a "Judge" and "Session Judge," as laid down in the Bombay Code of Regulations. As Judge he tries all capital cases, and disposes of Civil Appeals, and as Magistrate, he conducts the general duties of a Magistrate. A decision given in the Criminal Court of a Deputy Magistrate, when not involving imprisonment for a longer term than one year, is appealable to the Magistrate, to whom, moreover, the Commissioner looks for the general supervision of the Judicial system within his zillah.

11. To aid the Magistrate in these heavy Judicial duties, an officer designated Judicial Deputy Magistrate in charge of the Adawlut was, in January 1858, appointed to each zillah. The functions of this Deputy are wholly derivative, and will be presently described.

12. Such, then, being a brief summary of the duties and responsibilities of a Collector and Magistrate in Scinde, I proceed to compare them with those of a Commissioner of Division in the Punjaub from the Punjaub report 1849-50-51-52. I learn that the Commissioners are Superintendents of Revenue and Police, "and exercise the appellate powers of a Civil and the criminal powers of a Sessions Judge," and I further gather that the area, population, and gross revenue of the Commissionerates are as follows :—

	Area.	Population.
The largest Commissionership is	16,761	34,58,694
The smallest ditto	154*	8,47,695
The average ditto	11,660	18,15,403

13. Again, I find it stated at page 118 para. 324 of the Punjaub report for the years 1852 and 1853, that the Leia Division is, in a fiscal point of view, of average importance, paying about 17 lacs of Rupees.

* This is the area assigned to Mooltan ; but I think it must be erroneous. The Trans-Sutlej Division, the next smallest, is 6,791 square miles.

APPENDIX No. 622

Officers in Scinde.

14. On the whole then, a Collectorate in Scinde may be described as a division of country containing about 19,000 square miles, inhabited by some 500,000 souls, and yielding a revenue of about 13 lacs of Rupees, while a Commissionership in the Punjaub may be described as being a division of country containing some 12,000 square miles, inhabited by about 1,800,000 souls, and yielding a revenue of about 17 lacs of Rupees.

15. It appears then from the foregoing data that the duties and responsibilities of Collectors and Commissioners are similar; and that while the former exercise authority over larger areas, the latter do so over a more numerous and a wealthier population. Experience proves, however, that it is not the poorest or the most thinly-peopled district that is the easiest to govern. On the contrary the tracts bordering on the desert or on the frontier and inhabited by wild tribes, are found to be far more onerous than a rich and peaceable district. And I fully concur with Mr. Frere in thinking there cannot be a doubt but that "if Scinde were divided and managed "on the Punjaub system, each of the Scinde Collectorates would, like Peshawur and Mooltan, be "formed into a separate division and placed under a "Commissioner, and not under a first class Deputy, even if the districts were "poorer, less improvable, and less populous than they are."

Vide Para. 36 of his Report, forming enclosure to my letter No. 1264, of the 17th May last.

16. Proceeding to the comparison of a Deputy Collector's and Magistrate's duties and responsibilities, with those of a Deputy Commissioner in the Punjaub I find it stated at page 118 of the Punjaub report for 1852-53 that the average division of Leia contains four districts subsequently enumerated as follows :—

Leia..... ... ... about	4¾	lacs.
Dhera Ghazee Khan... ...	4	ditto.
Khanghur... ... ... about	4¾	ditto.
Dhera Ismael Khan	3½	ditto.

And from para. 91 of the Punjaub report for 1849-50-51-52, I gather generally, that the duties devolving on a Deputy Commissioner are those "of Magistrates and Collectors of revenue and to try all Civil suits exceeding in value 1000 Rs."

17. Now the Collectorates of Scinde are apportioned into Deputy Collectorates, in the manner about to be shown. Each Deputy Collectorate and Magistracy is, in every respect, wholly and entirely distinct from, and independent of every other Deputy Collectorate and Magistracy. And every Deputy Collector and Magistrate in charge of a district is directly subordinate and responsible to the Collector and Magistrate, with whom he corresponds in English and in the Vernacular as occasion may require. He further exercises an immediate authority over the native officials in Revenue matters

He settles for rents, and in communication with the Collector, grants remissions. All roads and other Public Works not indirectly in charge of the Public Works Department, are under the Deputy Collectorate. In brief, he maintains a direct and miscellaneous superintendence over his entire charge.

18. In his judicial capacity, a Deputy Magistrate exercises the powers of a "Magistrate," and also of an "Assistant Judge," and Sessions Judge with extended "powers" as laid down in the Bombay Code of Regulations. This is the Court of original jurisdiction in all Civil cases wherein the property in litigation is of more than 50 Rupees value. Appeal lies to the Civil Court of the Magistrate. The Deputy Magistrate's is an appellate Court from the decisions of the Kardars, in Civil suits not involving property of a value greater than Rupees 50.

19. As Criminal Judge, a Deputy Magistrate awards imprisonment not exceeding one year's duration, without confirmation of sentence; and he awards imprisonment up to a term of seven years, subject to the confirmation of the Commissioner.

The Deputy Collector is not, however, charged with a treasury, although all financial papers between the native officials and the treasury are transmitted through him; and it devolves upon him, moreover, to inspect during his annual tour the records of all descriptions kept by the district officials.

20. In respect of size and yield of revenue, the Deputy Collectorates in Scinde may be described as follows. The Hydrabad Collectorate contains four Deputy Collectorates of an average area of 6,500 square miles, yielding an average Revenue between three and four lacs. The Deputy Collectorates of the Shikarpoor Collectorate are four in number, having an average area of 3,000 square miles, and an average return of about three lacs each.

21. Lastly the Collectorate of Kurrachee contains three Deputy Collectorates of an average area of 5,000 square miles, and yielding an average revenue of about two lacs each.

22. Thus, then, it appears that, with the exception of treasury duties, the work of a Deputy Collector in Scinde is very similar with that of a Deputy Commissioner in the Punjaub, and that while the latter is, on an average, in charge of a district yielding a somewhat larger revenue, the former controls a larger area.

23. It is essential, however, to bear in mind that the revenue at present yielded by Scinde is capable of being, and undoubtedly under efficient management will be, doubled. No province ever annexed to our Indian empire has had to struggle against difficulties so overwhelming and so pro-

longed, as those which during the early years of our rule depressed Scinde. Upon this subject, I beg to subjoin an extract from my report on the administration of the province for the past year :—" Thrown into " confusion by the war, and suddenly abandoned by the Revenue officials " of the old Government, the country was immediately subsequent to " the conquest parcelled out into three Collectorates, and entrusted to " three Military officers wholly untrained in Revenue management. " Even when constituted Civil administrators of areas varying from 15 to " 27,000 square miles each, these officers were not " absolved from Military responsibilities, or from " Military control. As Magistrates, their judicial " cases were subjected to a Military Commission. The Police, in lieu of being " placed in subordinate co-operation with the Magistrate, were a recognized " check on him, and were frequently in direct and open antagonism " with his proceedings. Nor was it until revision of salaries and estab- " lishments was carried out in the years 1852-53, that regular and per- " manent Revenue establishments were entertained. At that period, many " of the native employes were still only temporarily engaged, and were remu- " nerated in grain. No adequate fiscal offices had been erected. No pro- " per or uniform system of accounts had been introduced. The record of " demands and realizations was very imperfect. No regular district accounts " were kept. No registry of, or investigation into, the proprietary rights in " the soil had been commenced. All hereditary village offices, emoluments, " and accounts were ignored, and not even the roughest description of Re- " venue survey and settlement had been attempted. Add to this, that a per- " nicious system of forced or statute labor every where sapped the sources " of wealth, and disgusted the minds of the people; that the revenue was " collected in grain by actual division of the crop ; that this grain was then " sold by reserved auction at artificially high, and sometimes even at famine, " prices by the Government, as the great grain dealers of the country ; that " the natural condition of the market, thus directly interfered with by the " Government, was yet further forced by the circumstance of the Commissariat " drawing the grain required for the troops at nominal prices from the " Government grain stores, and it will not be difficult to understand the fiscal " and financial condition of Scinde prior to the revision of its administration " in 1852."

Recapitulation of the circumstances which have retarded the prosperity of Scinde.

24. I repeat it is essential to a just estimate of the revenue and financial present condition and prospects of Scinde to bear prominently in mind the foregoing facts. For not only has the fiscal administration been thereby retarded by the number of years intervening between the date of the conquest, and that of its being slowly brought into order in 1851 52 ; but Scinde had in truth been thus reduced to a condition whence it is a far slower and more

arduous task to recover it, than it would have been to organize the administration of a similar province which had never before been subjected to our rule.

25. It is unnecessary that I should enter into any details as to the proportion which the present district staff of the Punjaub bears to the revenue and area of that province as compared with the district staff of Scinde. These details have already been laid before you in the 39th para. of Mr. Frere's letter already quoted, and I need therefore only remind you that, from his tables, it is evident that while in the Punjaub there is one officer to every Rupees 1,23,000 of gross land revenue, there is in Scinde only one officer to every 1,65,000; that while in the Punjaub the proportion of pay of the district staff for gross land revenue is that of one to 166$\frac{8}{9}$, that of the pay in Scinde is one to 236; and finally that whereas in the Punjaub, there is one Commissioner, Deputy Commissioner, Assistant, or Extra Assistant to every 642$\frac{3}{4}$ square miles, there is in Scinde only one Collector or Deputy to every 2,615 square miles.

26. The remarks now concluded upon your 4th para. seem to meet every requirement of your 5th para., unless in so far as this relates to the Judicial Deputy Magistrates in charge of Adawluts. These officers exercise functions almost identical with those of a "Joint Judge and Sessions Judge" as laid down in the Bombay code of regulations. Their powers are wholly derived from the Magistrate and they try only such cases as may be deputed to them by the Magistrate. But these derivative powers are co-ordinate and concurrent with those of the Magistrate himself, and in practice the Judicial Deputy Magistrate in charge of an Adawlut, tries nearly all the Criminal cases committed to the Magistrate's Court. This Court is at the sudder station. It is of original jurisdiction, (as presided over by the Magistrate's Deputy) in all Civil suits involving property of a value greater than Rs. 1,000; and it is appellate from the Court of the Moonsiff for all causes of less value than Rs. 1,000. Appended is a copy* of circular defining the powers of these officers.

* No. 1430 of 1854.

27. With regard to the subject of your 6th para., I am unable to suggest any modification of the present divisions of the province, unless, indeed, those discussed in paras. 73 to 78 inclusive of Mr. Frere's letter. But even the suggestions there thrown out I would be inclined to adopt with the greatest caution, for it appears to me that having after so many years of disorder, at length distributed the country into fiscal divisions, erected suitable offices, and introduced some degree of system adapted to the existing divisions, it would not be advisable to redistribute the province, and thereby throw the minds of all our Revenue and Judicial officers into a renewed

state of perplexity and uncertainty, with no other advantage, so far as I can perceive, than that of possibly securing more conveniently-sized districts administered at an increased cost. It would doubtless, under present circumstances, be in every respect preferable and equitable to designate the Collectors, Commissioners, and the Deputy Collectors, Deputy Commissioners, and to remunerate them accordingly. But beyond this, I should regret to see the province again disturbed.

28. You are mistaken in the supposition contained in your 7th para. that the constitution of the Scinde Government was framed to suit the peculiar circumstances of the first English Government. There was no such appointment as a Judicial Assistant or Revenue Assistant Commissioner to Sir Charles Napier. These appointments date from, and were the creation of the Government of Bombay subsequent to the province being subordinated to that Government, and at a time when Mr. Pringle, a gentleman intimately acquainted with official routine, and one of the most experienced officers of the Bombay, Civil service, was chosen by Sir. G. Clerk to take charge. These appointments were created, because it was found wholly impossible for the Commissioner in Scinde to conduct the Government of Scinde without such assistance. I regret that when forwarding my statements to you on the 17th May, I did not enter more into detail regarding the duties of the Commissioner. But I anticipated that you would perceive, that while those duties are performed by an officer bearing the official designation of Commissioner, they are, in fact, precisely analogous with the duties devolving in the Punjaub upon the Chief Commissioner, or in the North-Western Provinces upon the Lieutenant-Governor, with, I believe, the sole exception that the Commissioner in Scinde has not the powers of life and death in his hands.

29. Having for an unbroken period of nearly eighteen years been employed in all manner of Civil and Military duties in this province, I have at least the authority of experience in any remarks I may make upon its administration, and as I am only temporarily in the position of the Commissioner, I have less delicacy on account of personal considerations in expressing my opinion regarding the duties devolving on the Commissioner than I should have were my appointment to this office permanent. And I have no hesitation in informing you that no public servant, be his experience ever so great, and his knowledge of detail ever so minute, could discharge single-handed the duties of the Commissioner in this province. Perhaps few gentlemen possess the above acquirements in a greater degree than Mr. Frere, yet I have most reliable authority for saying that, although the Government of Bombay attached to him as Assistant (not in the Revenue department for there is no such appointment, but Assistant) Commissioner in Scinde, for

all duties other than Judicial, the best officer they could select (Mr. B. H. Ellis), yet that the English correspondence of the office held Mr. Frere engaged, on an average, some eight or nine hours daily, and, in short, and without disguise, that the unremitting toil in all departments fairly wore him out, and sent him to England.

30. You may not perhaps be aware that there is scarcely a question raised—a reference made, or an opinion or sanction to be obtained—whether from the Government of Bombay,—from the Public Works department which is increasingly heavy—from the Revenue officers—from the Naval, the Military and Political authorities—or from the General department of the province, which does not come before the Commissioner and require his written decision or opinion. I find that exclusive of all judicial documents whatsoever, exclusive further of all statements, enclosures, &c., the letters written by the Commissioner last year to miscellaneous officers numbered upwards of 4,000, and that those written by him to the Government of Bombay, being mainly letters on important subjects, numbered 565 additional. The tendency has been for many years to an increase of correspondence, and now that the Revenue settlement and survey are being introduced, this increase may be expected to become proportionately greater.

31. But apart from the English department—the hearing of petitions whether written or oral—the fact that the Commissioner is required to perform a tour of some 1,500 miles annually, visiting the fiscal and judicial officers of all grades and classes—that his personal presence is constantly, I may say daily, required when on tour for inspection of Public Works—miscellaneous improvements, and conferences, whether with his subordinates or with the natives of the country, render it physically impossible that he could do justice either to himself or Government, without the aid of an assistant competent to examine and draft letters upon all subjects whether Revenue, General, or Political; to receive and lay before the Commissioner old reports and returns, relative to the Revenue settlement and Public Works; to conduct the Vernacular work, hear petitioners, and examine, as the Commissioner's Deputy, the records of the fiscal officers and the general management of the district. Moreover, it is in my opinion absolutely requisite, as providing for the contingency of the Commissioner's temporary absence or indisposition, that there should be in his office some trustworthy and confidential officer able for a time to conduct the details of office himself, or to communicate them to whomever may be nominated as the Commissioner's *locum tenens.* It may not be out of place to inform you that Mr. Pringle, the late Commissioner, when resigning his office, expressed himself regarding that resignation, and regarding the indispensable necessity that existed for an Assistant to the Commissioner in the following terms:—"I con-"sider the aid of an Assistant to be indispensable to the Com-

" missioner in Scinde. My successor will be able to inform Government " of the duties he would assign to him. For myself, I employ my Assist- " ant in arranging and submitting the proceedings in all cases which " require to come before me, and taking my orders upon them in drafting " from my minutes such of the letters as I do not consider it necessary to " draft myself, in preparing abstracts and translations of petitions and " other documents in the native language, in examining and checking the " bills and accounts received from the subordinate offices for my coun- " tersignature, in verifying all documents, that issue from the office, in " special enquiries and the preparation of precis of cases when occasion " requires, in copying secret and confidential documents, in the immediate " superintendence of the office establishment, and generally, in any mis- " cellaneous business in which I may consider his services to be useful. " These are the duties in which I have hitherto employed my Assistant, " and had I been to remain in my present office, they are those in which " I should still propose to employ him, as well as in assisting me in any " detailed local enquiries which might be necessary and within my power " to accomplish, in revising the proceedings of the Collectors, in the modi- " fication of the settlements or other matters of Revenue management. " I am led to infer from the 7th para. that it is the expectation of " Government that I should be encamped or moving through the less healthy " parts of the province for nine months in every year, and that I should " visit every one of the 107 kardarees in the three Collectorates, examine " all the details of the proposed Revenue settlements in them, hold personal " intercourse with all the persons entering into or in any manner affected by " them, and myself superintend their execution in a number of villages. " After giving these expectations my deliberate consideration, I feel " that I should only be disappointing Government, were I to hold out any " prospect of their satisfactory fulfilment. The details they would impose " on me are so extensive and arduous, as to be beyond my power to under- " take with justice to the other duties involved in the general adminis- " tration of the province, and are of a nature which I conceive can be " better executed by and fall more properly within the sphere of the local " executive officers. I am unacquainted with either the Persian or Sindee " languages which are those of business and intercourse in this province, and " have no leisure to acquire them. In the Native branch of my establish- " ment, I have only one Moonshee for general duties, in addition to the one " employed under my Judicial Assistant. For some portion of the year the " communication in the interior of the province is interrupted by the inunda- " tion, and for the remainder, with the exception of the four months of the " cold season, its climate is most unfavourable to the European constitution. " To subject myself therefore to its effects, by moving about the districts for

" the period contemplated by Government would, after my lengthened service " of now twenty-nine years, the greater part of which has been spent in the " districts among the Natives, and apart from European society, be " incurring a greater degree of fatigue, privation and exposure, than either " on public or private grounds, I consider to be prudent or desirable without " some urgent necessity. The expence of travelling by land in this province, " as I know from the actual experience of last season, is such that to do it in " the manner becoming my station, and it does not accord with my senti- " ments to do it otherwise, would cost six times the sum allowed to me by " Government for the purpose. A consideration of the above circumstances

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" has led me to the conclusion that it will be the most honorable and proper " course at once to tender my resignation of the office of Commissioner in " Scinde, which I accordingly hereby do, and request that I may be relieved " from its duties as soon as it may suit the convenience of your Lordship in " Council." Upon these expressions of the late Commissioner, I have to remark that the Assistant referred to was his *General Assistant;* he had already an Assistant in the Judicial Department, and I may add that it is found upon calculation, that since the date of Mr Pringle's letter, the work devolving upon the office of the Commissioner in Scinde has increased *exactly fourfold.*

32. I have no objection to advance to the proposition contained in your 8th para. But such an arrangement would, of course, involve an extra expenditure, as a larger establishment must, of necessity, be entertained.

33. The subject of your 9th para. is, I think, sufficiently noticed in my remarks on your 7th para.

34. Proceeding to your 11th para., I have the honor to inform you that the Police of Scinde was organized by the late Sir C. Napier. It consists of—

" *The Regular Mounted Police*, who are organized and uniformly " armed and equipped, like men of the Silladar Cavalry. Their functions " are partly protective in acting as patrols and guards, scattered in small " detachments overthe country, and partly detective in acting as thannadars " to hear complaints and arrest offenders, and to take up the traces of " robbers and apprehend and bring them to justice with the assistance of " trackers belonging to other branches of the force."

" *The Irregular Mounted Corps* are not uniformly armed or equipped, " though the men generally adopt the nearly uniform costume of their several " tribes, and carry a sword, shield and matchlock. They consist of—*Camel* " *Sowars* employed in those portions of the country [*e.g.*, the desert, western

" hills, &c.] where camels are found to be more useful than horses, and " in many parts of which horses can scarcely live in the hot season."

" *Rural Police*, a body of Infantry drilled, dressed and equipped " like other local infantry corps ; their functions are purely protective, to " guard Treasuries and prisoners in the districts, and to act as a support, when " called on, to the other branches."

" *The City Police*, who are of two kinds, 1*st Nujeebs*, dressed and " armed like the district police peons of India ; they are employed in cities " and large towns to act as watchmen, night patrols, bazar and chowree " guards, &c., and their duties are partly protective and partly detective ; " 2*ndly*. *Trackers*, whose duties are purely detective. They are selected for " their intelligence from among the best puggres or trackers in Scinde, and " are among the most valuable and important members of the Police force."

" All the above-mentioned branches of the Police are in the permanent " pay of Government. *Burkundauzes* are sword and matchlock men, tem- " porarily entertained at a fixed proportion per cent. on the strength, to guard " prisoners. The Police in each Collectorate is under the immediate control of " a European officer, the Lieutenant of Police, who is directly subordinate " to the Captain of Police in Scinde. With the exception of detachments " at head quarters, all the various bodies composing the Police are distributed " over the country, according to its character and the nature of the crime " to be repressed. In large towns and at Kardar's stations are fixed posts " of Rural Police, with generally the head quarters of a small body of horse. " The Rural Police never, on ordinary occasions, leave their regular post, " while the mounted men are required to patrol continually, occasionally " accompanied by detectives of the city Police who move about wherever " their services are required. All the Police in a talook or other similar " district are subordinate to the Thannadar, generally an officer of the " mounted Police, who directs their exertions, and is responsible for the " efficient discharge of their duties. The examination of offenders, witnesses, " &c., when brought into the Thannah is, for the most part, left to the " officers of the magisterial establishment, *i. e.*, the Kardar and his establish- " ment, the Police confining themselves, as a general rule, to the apprehen- " sion of offenders and collection of evidence, leaving to the magisterial " authorities the preparation, trial and record of the case. Once a week or " oftener, if necessary, the Thannadar reports to the Lieutenant of Police " all the information he has received regarding crimes, accidents and occur- " rences worthy of note. In extraordinary cases he also reports direct to the " Captain of Police. Each Lieutenant forwards weekly to the Captain of " Police an English digest of these reports with the vernacular papers in " original when necessary. A summary of these digests, including the

" returns regarding the jails, is forwarded weekly by the Captain of " Police to the Commissioner. The Commissioner acts upon the informa- " tion thus received, as may appear necessary, to assist or check the Police, " and to ensure the Magistrates and all their subordinates doing their duty " with regard to the cases sent to them for trial."

35. The Police of Scinde are purely and simply executive. They apprehend criminals, and patrol and guard the province. Their organization is Military, and in all matters relating to constitution, drill and internal economy, they are under the command of officers of Police alone, subject, of course, to the Commissioner in Scinde. In the detection and capture of offenders, and in all affairs involving contact with the people, they act in subordinate co-operation with the Magisterial authorities. The system has worked well. The total absence for many years of gang robberies, dacoity and other serious crimes, the internal peace and good order of the province, unequalled in any other portion of Western India, speak for themselves.

36. With reference to the 14th paragraph of your letter, I beg to state that the office of Captain of Police is indispensably necessary. Uniformity of discipline and action could not be maintained without him. To remove him should be one of two things : namely, to impose his duties upon the Commissioner in Scinde, or to leave six Regiments of drilled and three of undrilled men without any Commandant. Upon this subject, I solicit your attention to the declaration submitted in Mr. Frere's letter No. 562, of 31st December 1855 :—" There is no department in which I consider it " of more importance to the internal peace of the country to have officers of " ability and experience, who possess the natural capacity for Police duties, " which no training can give. In every year since I have been in Scinde, it " has fallen to the lot of one or other of the Lieutenants of Police to have " the charge of what would elsewhere be called ' political' duties of consider- " able delicacy and importance, and I should be unfaithful to the trust reposed " on me by Government, were I to conceal the extreme alarm with which I " view a reduction of their pay to a standard which will secure the services " of none but very young or otherwise inferior officers, and will not enable " them to maintain a sufficient establishment of horses, camels, and means " of moving about—charges of such great extent. I do not consider the Scinde " Police by any means perfect ; but I sincerely believe it is by far the best " in India of which I have any knowledge, and if the salaries are reduced " to the extent proposed, I see no hope of its escaping rapid deterioration. " It is, by its organization, a very powerful engine. Heretofore, under " officers specially selected for energy and ability, its power has been, on " the whole, admirably exercised in the interests of order and justice, and

"it has greatly contributed to the peace and well-being of the province. "But I know of no human device, except a wise selection of competent "officers to manage it, which can prevent such a body from becoming an "equally powerful instrument of tyranny and evil, and as great a curse to "the country as I now believe it is a blessing."

37. This language is clear and decisive; and I beg with equal explicitness to inform you that, if the present constitution and working of the Scinde Police be interfered with, Government will find that they have thereby tended to disorganize what I believe to be the best Police Force in India, and to disturb the present peace of this province.

38. Para. 15 of your letter is disposed of in my remarks on your 11th para. For the details of Police management, I refer you to the accompaniments to my letter of the 17th May last, particularly to the statement furnished by the Captain of Police.

39. In your 16th para. you observe upon the absence of Native Deputy Collectors. Mr. Frere had been desirous to employ, under the direction of the more experienced Deputies, some of the Native gentry as now suggested by you. But after more than one trial he found not only that these persons were incompetent, but that they were even unwilling to undertake the task proposed for them. I am not informed that any endeavour has been made to secure the services of Natives from our older province, nor indeed, so long as the services of the English officers at present employed are available, would I on any account advocate such a measure. I entertain all due regard and respect for the Native Deputy Collectors employed in other portions of our Empire; but the circumstances under which they are there engaged, are widely different from those they would encounter in this province, which is repugnant to other habits and prejudices, and where they would be necessarily far away from European contact or supervision.

40. Nor can I perceive that even in a financial point of view we should gain by substituting natives for English officers. My own office is now without a dufturdar, solely because no competent man can be induced to come to Scinde upon a salary of Rs. 300 a month, to perform the duties of that office. On a former change of dufturdars, Mr. Frere was disappointed three times before he could persuade a fit man to accept office, and surely a Native Deputy Collector would require higher salary than a dufturdar. Suppose then he stipulated for Rs. 400 or 450 per mensem, we should absolutely lose by the exchange, lose not only the energy and high moral tone of an English gentleman to secure the adroit cleverness of a native, but lose, moreover, money. I should be indeed sorry to see this

exchange effected, and should consider the substitution of Natives for English officers in the Civil appointments of this province, as leading to certain ruin.

41. I have the honor to enclose printed copies of the only pamphlets which would answer the call made in your 17th para. and a perusal of these documents will show you how much lies before the revenue officers of this province in the way of introducing a settlement and a clear and simple revenue management.

Selections from the records of the Bombay Government, No. XVIII., Rough Survey and Revenue Settlement in the province of Scinde.
Do. do. No. XXI., assessment of the Omercote and Narra districts in Scinde for 1853-54.

42 The information required by your 18th para. will be duly supplied.

43. In conclusion, the Government of India having suggested an assimilation between the Civil salaries of Scinde and the Punjaub, the question of remuneration to the officers of the former province has assumed perhaps too much the character of a comparison with a standard which has not as yet been shown to be applicable to the case in point;—and it appears to me self-evident that, although it may be convenient to compare and contrast the salaries obtaining in the several divisions of our Indian Empire, yet that the question really in issue in respect of each particular province is this—What, taking into consideration all the circumstances of the particular locality, is the market value of the work to be performed? Can we command cheaper rates for the efficient performance of this work than those at present obtaining? If so, what are those rates, and by whom will they be accepted? The opinion at which my own observations and experience have led me to arrive, and of which it now becomes my duty to inform you is, that the establishments at present obtaining for the Civil administration of this province are inadequate, both numerically and in point of salaries, for the proper and rapid development of its resources, and that in the event of the Commissioner being deprived of his Assistant, or crippled in the number of local European Revenue or Police officers, he could not ensure the well being of the charge committed to him. On this subject, I beg to draw your attention to my letter No. 196, of 5th May 1856, a copy of which I have the honor to enclose.

44. Neither in this letter nor in my statement of the 17th May, have I given any details relative to the Revenue survey, Public Works department, the Marine or the Ecclesiastical departments, for although these departments are all, of course, subordinate to the Government of Scinde, yet it appeared unnecessary to swell my papers with details which will doubtless be laid before you more directly.

45. The salaries of the settlement officers recently appointed to Scinde, have been assimilated by the Government of Bombay with those of the

several grades of Deputy Collectors. This question is now before the Government of India, and I will not do more in this place than express a hope that no impediment may arise to interfere with the progress of a measure which is absolutely essential to secure the people their just rights, and Government its fair dues.

I have the honor to be,

SIR,

Your most obedient Servant,

JOHN JACOB, *Lieutenant-Colonel,*

Acting Commissioner in Scinde.

No. 562 of 1855.

TERRITORIAL DEPARTMENT, REVENUE.

FROM

H. B. E. FRERE, ESQUIRE,

Commissioner in Scinde,

TO

THE RIGHT HON'BLE LORD ELPHINSTONE, G. C. H.,

Governor and President in Council, Bombay.

Dated 31*st December* 1855.

MY LORD,

REFERRING to Government letter No. 4202, dated the 6th October, on the subject of the revision of the salaries in this province, I have the honor to submit for the consideration of your Lordship in Council, a statement showing the manner in which the appointments noted in the memo. of the Punjaub scale of salaries will affect the position of existing incumbents.

Nature and extent of the alterations ordered.

2. Your Lordship in Council will perceive that in the new list there is no provision for an Assistant to the Political Superintendent on the Frontier of Upper Scinde, an appointment proposed in para. 33 of my letter to Government No. 446, dated 20th December last, and provisionally sanctioned by Government.

Para. 12 of letter to the Secretary Government of India, No. 2187, dated 19th May 1855.

2176

APPENDIX No. 622

Officers in Scinde.

No. 446.

Para. 10 of letter No. 2187, of 19th May.

3. It will also be seen that no provision is made for the three Supernumerary Deputy Collectors alluded to in paras. 26 to 29 of my letter above referred to, and whose salaries were approved of by your Lordship in Council.

4. It was proposed that the Deputy Collectors in charge of the different Treasuries should receive an increase of Rs. 100 per mensem after three years' service, and for this increase re-provision has been made.

5. The Deputy Collector of Customs also was to receive an increase of Rs. 300 after three years' service, and to this appointment the same remark applies. The salaries of other officers are reduced by the present orders to the following extent :—

3 Collectors, from	Rs. 2333 to	...	... Rs. 1,500	per mensem.
1 Captain of Police, from	Rs. 1000 to	...	... Rs. 800	per do
3 Lieutenants of do. from	Rs. 700 to	...	... Rs. 500	per do
1st Assistant for settlement of Jageers (a temporary duty) from	Rs. 800 to	..	... Rs. 700	per do
2nd ditto ditto from	Rs. 500 with net Military pay to	..	.. Rs. 500	only.

Assistant Political Superintendent.

6. Lieutenant Merewether has been appointed Assistant to the Political Superintendent, and discharges the duties of a Deputy Collector in addition to those of Second in Command Scinde Irregular Horse. This arrangement has been approved by Government, and I am respectfully, but very decidedly of opinion, that it is impossible for Lieutenant-Colonel Jacob to carry on his present duties without such aid, and that by this arrangement the duties are performed at less cost to Government than by any other that could be proposed.

Vide para. 3 of Commissioner's letter No. 63 of 12th February 1855, regarding arrangements for the revision of assessments.

Vide Government Resolution, T. D. R. No. 1932, of 8th May 1855.

Supernumerary Deputies.

7. Captain Southey, Mr. Stack, C. S., Lieutenant W. Lester and Captain Hodgkinson, are the Supernumerary Deputies. They are fully employed as detailed in my letter just referred to, and their employment has been sanctioned by Government. If I am to consider that sanction to be withdrawn, I would suggest thatt he Military officers should be placed at the disposal of their respective Commanders-in-Chief, and that Mr. Stack be provided for elsewhere.

8. But in that case, the present arrangements for revising the assessment must come to a stand still, which is to be deeply deplored, as it is one of the measures most essential to an improvement of the revenue.

Deputy Collectors in charge of the Treasury.

9. I regarded the proposed increase of Rs. 100 per mensem to the uncovenanted Deputy Collectors in charge of Treasuries, after three years' approved service, as a most advisable arrangement, and would still strongly recommend it be allowed.

10. But if this proposition be not concurred in, I would respectfully recommend that a personal allowance of Rs. 100 each be granted to Messrs. Wood, Shikarpoor, and Surtees, (Kurrachee,) on whom the present orders will otherwise bear with peculiar hardship, as they never received less than Rs. 500 for the charge of the Treasury, the duties of which they have performed with credit for nine and five years respectively.

Deputy Collector of Customs.

11. The case of the Deputy Collector of Customs is, in my opinion, yet more deserving the liberal consideration of Government. Mr. Dalzell has served as Deputy Collector in the department for three years with, I believe, the highest credit. On Mr. McLeod's death, he was selected on the ground of ability and experience to come to Scinde, and though his emoluments were thereby slightly reduced, he was given to understand that the Scinde pay would be shortly raised to at least the same sum he received in Bombay. The operation of the present order will leave him with much lower emoluments than he had received for many years before he came hither.

12. The duties of Deputy Collector of Customs and of Magistrate for the harbour, which are necessarily combined, require a man of considerable ability and experience both in the customs, and also in the duties of a Magistrate and Justice of the Peace. He has to deal with the captains and crews of European merchantmen, and four or five cases against refractory seamen, and counter-complaints of seamen against their masters have been sometimes made in one day. English ships have only lately begun to frequent the port, and the number may be expected annually to increase. The decisions of an officer in Mr. Dalzell's position under the Merchant Seamen's Act are not appealable to any authority in the province, nor open to revision. I need not point out how much injustice and hardship to seamen, as well as loss and trouble to owners, consignees, and even to Government may be caused by a single blunder of an incompetent officer in such a position, and I feel quite certain the services of a competent man in the double capacity of Collector of Customs and Assistant Magistrate for the harbour cannot, in the long run, be secured for less than I proposed.

Captain and Lieutenants of Police.

13. The orders now received reduce the pay of Captain of Police from Rs. 1000 to 800, and his three Lieutenants from Rs. 700 to 500.

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14. I cannot but think that these orders must have been founded on a misconception of the nature of the duties discharged by the Captain of Police and his Lieutenants.

15. The Lieutenant, as regards the nature and extent of his charges, resembles the Captain of Police in the Punjaub* as closely as the difference of system will admit of comparison. He has the entire Police charge of the whole Collectorate and command of a corps of drilled Infantry, a Rissalla of mounted Police, and a large body of Irregulars and detective Police. Similar officers in the better climates of our older Provinces in Bombay, with smaller charges and easier duties, *i. e.*, Commandants of Police Corps and Superintendents of Police draw, I believe, from Rs. 600 to 900.†

16. The Captain of Police in Scinde is the Commandant of the whole force, and general Superintendent of Police throughout the province. There is no officer exactly analogous in the Punjaub nor in Bombay. A Superintendent of the whole of the mofussil Police in the older districts of the Bombay presidency, would not have a more extensive range nor so difficult and responsible a charge.

17. There is no department in which I consider it of more importance to the internal peace of the country to have officers of ability and experience who possess the natural capacity for Police duties which no training can give. In every year, since I have been in Scinde, it has fallen to the lot of one or other of the Lieutenants of Police to have the charge of what would elsewhere be called political duties of considerable delicacy and importance, and I should be unfaithful to the trust reposed in me by Government, were I to conceal the extreme alarm with which I view a reduction of their pay to a standard which will secure the services of none but very young or otherwise inferior officers, and will not enable them to maintain a sufficient establishment of horses, camels, and means of moving about—charges of such great

* Who draws Rs. 800 per mensem.

† The effect of the present orders upon present incumbents is, as far as I understand the Regulations on the subject, this. Captain Stanley, 5th Regiment N. I., is Lieutenant of Police at Shikarpoor. He distinguished himself creditably before the conquest both in the field, and as an Assistant to Major now General Outram, and is absent on sick certificate. His share of the Staff allowance for six months would be Rs. 42-2-0 per mensem. Captain Montgomery, 14th N. I., is acting in the appointment for the first six months of Captain Stanley's absence. Captain Montgomery drew Rs. 23-14-0 *less than he would have drawn with his Regiment;* since the expiration of the six months he has drawn Rs. 18-10-0 more than he would have got with his Regiment. Lieutenant Naylor, 19th N. I., at Hyderabad, draws for the whole of his responsible duties Rs. 70 more than he would as Quarter-Master and Interpreter, the post he would hold if with his Regiment. Captain Arthur, 1st Regiment Light Cavalry, is absent on sick certificate; he will draw under present orders *Rs.* 326-7-10 *less* than he would with his Regiment. Captain Price, 1st Grenadiers, a Deputy Collector, is acting for him. The portion of the Staff salary of the appointment which he receives for acting as *Lieutenant* of Police is Rs. 13-7-10. His whole emoluments being Rs. 107-0-2 *less than he would have as a Captain with his Regiment,* and Rs. 225-10-2 *less than he would have as a Deputy Collector.*

extent. I do not consider the Scinde Police by any means perfect; but I sincerely believe it is by far the best in India, of which I have any knowledge, and if the salaries are reduced to the extent proposed, I see no hope of its escaping rapid deterioration. It is by its organization a very powerful engine. Heretofore under officers specially selected for energy and ability, its power has been on the whole admirably exercised in the interest of order and justice, and it has greatly contributed to the peace and well-being of the province. But I know of no human device, except a wise selection of competent officers to manage it, which can prevent such a body from becoming an equally powerful instrument of tyranny and evil and as great a curse to the country as I now believe it is a blessing.

Deputy in charge of Adawlut.

18. For the Deputy in charge of the Adawlut in each zillah, I proposed Rs. 1,000 with a prospective increase to Rs. 1,200 after three years' service in the department. I confess this appears to me a very moderate rate of remuneration for a judicial officer, whose duties will be as heavy as those of many Judges in India, and who ought to possess considerable judicial experience.

19. The orders now received reduce the pay to Rs. 700, which is the salary of an Assistant Judge in Bombay; and we cannot hope to obtain for the same salary, in Scinde, the willing services of even that very junior and often inexperienced class of Civil servants.

20. The appointment is one which should, I think, always be held by a Civil servant trained to work of a kind for which junior Military officers are less often qualified, than for other Civil duties.

Senior District Deputy.

21. The same remarks apply, though in rather a less degree, to the reduction in the salary of the senior Deputies to the Collector and Magistrate, from Rs. 800 to 700. They will be lower paid than the first Assistant (except the two juniors) in our older provinces, while their charges are much larger and their duties much more varied and responsible. Besides a revenue charge over a district as large as many an Indian Collectorate, the senior Deputies have the powers of a senior Assistant Judge and Sessions Judge at a detached station. Their duties and responsibilities in this respect cannot well be diminished, for their charges are sometimes 100 to 200 miles from head quarters, and some provision must be made to administer justice in serious cases without dragging suitors and witnesses into head-quarters for such a distance from their homes.

22. Yet Government is aware that no Civil servant of five years' standing could be induced to come willingly to fill such an appointment in Scinde for the salary now offered.

23. But the officers most affected by these new arrangements are the Collectors, who are reduced from Rs. 2,333 per mensem, the Bombay standard, to Rs. 1,500, the salary of a senior Deputy Commissioner in the Punjaub.

Collectors.

24. These orders are accompanied by an intimation of the possibility of the Collectors in Scinde being required to refund the difference between their former salaries of Rs. 1,200 per mensem and Rs. 2,333, which they have been lately drawing.

25. But I would earnestly beg that the attention of the Government of India may be drawn to the following extract from a resolution of the Government of India, passed when this very subject was under discussion :— "It appears that "neither of these principles* is at present acted up to in Scinde. The "number of officers, in the opinion of the Governor General in Council, is "not sufficient for the very onerous duty which they will have to perform, "and Rs. 1,200, the salary of the Collectors, is not a fair remuneration for "their labors, nor will it generally speaking enable the Government of "Bombay at all times to command the services of the best men for these "offices. There is a vast task to be performed in the province, and with a view "to its efficient accomplishment the Governor General in Council is pleased "to assent generally to the recommendation of the Government of Bombay, "and to approve of the salaries of the officers who are charged with the "double duties of Collectors and Judges being re-arranged at Rs. 2,333-5-4 "per month, with travelling allowance of Rs. 10 per diem whilst moving "about in their districts."

No. 336, dated the 27th February 1852, paras. 5 and 6.

26. In the following passage of a resolution of the Government of Bombay, the permission to draw the enhanced rates of salary is formally accorded :—"The amount of "pay and allowances to be drawn by the Collectors, was sanctioned by the "Government of India, under date the 27th February 1852, and His "Lordship in Council, on your placing before him and his approving of "revised statements which will provide for the expenditure not exceeding "the amount estimated in Mr. Malet's letter of 17th October 1851, will "allow the two Collectors, Captains Preedy and Stewart, now on the spot, "to draw the difference from date of receipt at Bombay of that sanction."

No. 1852, of the 29th March 1853, para 4.

* But although a less complicated system than that in the older provinces should be introduced at first, the persons who work that system must be adequately compensated for their services, and their number should be adequate to the discharge of the duties imposed upon them.

APPENDIX No. 22

Officers in Scinde.

27. It is not for me to enquire why the permission given by the Government of India in February 1852 was not at once acted on, and communicated to the officers concerned. But I would submit with all deference that the faith of Government is pledged to the grant of the higher salary at least from the date of the resolution of the Bombay Government, till the receipt of the present orders from the Hon'ble Court, and I feel assured that, when the matter is fully explained to the Hon'ble Court, they will recognize the justice of the Collector's claim to the higher salary for that period at all events.

28. I cannot but think that the comparison on which these orders were founded, was suggested by the belief that the duties of the office of Collectors in Scinde, were analogous to those of a 1st Class Deputy Commissioner in the Punjab which is very far from being the case.

Collectors in Scinde compared with Commissioners in the Punjaub.

29. The duties here performed by the Collectors are, I believe, very precisely those of Commissioners in the Punjab, who draw Rs. 2,750, and who are generally reckoned to be very moderately paid. The first class Deputy Commissioners in the Punjab appear to be exactly what used to be called, Sub-collectors and Joint Magistrates in Bombay, *vide para.* 29 *of the Punjab report for* 1849-50 *and* 1850-51. "The Board of Administration" were to wield the powers usually conferred on the Sudder Court of Judicature, and Sudder Board of Revenue at the Presidency. (This is the duty of the Commissioner in Scinde.) The Commissioners were to be Superintendents of Revenue and Police and to exercise the appellate powers of a Civil and the Criminal powers of a Sessions Judge.

30. This very nearly describes the exact powers of a Collector and Magistrate in Scinde.

31. The Deputy Collectors are vested with powers and responsibilities very similar to those of the Deputy Commissioners in the Punjab. This will be more clearly seen by a reference to the enclosed copy of a letter from the Secretary to the Chief Commissioner.

32. The following table shows the area, population and revenue of the Scinde Collectors :—

SCINDE.	Area square Miles.	Population souls.	Revenue, 1854-55.	
			Gross.	Net.
Shikarpoor Collectorate, exclusive of the Frontier Districts and Ali Moorad's Territory	11532	550000	Rs. 1315897	Rs. 1145253
Hyderabad Ditto, exclusive of the Thur and Parkur Districts	26760	635000	Rs. 1531022	Rs. 1239627
Kurrachee Ditto	19240	344000	Rs. 994750	Rs. 806784
Total...	57532	1529000	3841669	3191664
Average	19177	509666	1280556	1063888

APPENDIX No. 622

Officers in Scinde.

33. The following gives similar details regarding the Punjab.

	In Area square Miles.	In Population.	In gross Land Revenue, 1854-55.
The largest Commissionership is...	16751	3458694	3031000
The smallest Ditto	*154	847695	1205000
The Average Ditto	11660	1815403	2242000

34. The area of the smallest Scinde Collectorate is about the same as the average area of the Punjab divisions. The population and revenue are much less, but there appear to be divisions in the Punjab like Peshawur and Mooltan, yielding as little revenue and not much more populous than our Scinde Collectorate; districts containing a large amount of desert and waste inhabited by wild Tribes, far more troublesome to manage than the richer divisions, yielding three times as much revenue, and counting their population by millions.

35. It may be thought that I lay undue stress on the large area of the Scinde Collectorates. But it must be borne in mind that thinly as Scinde is inhabited, its population (28 souls) per square mile, is within two souls per square mile as dense as that of European Russia. That the density is greater than in Sweden, more than double that of Norway, and nearly double that of Finland or Turkey proper, and that the districts where the inhabitants are most thinly scattered are precisely those in which every man is a warrior by habit, tradition, and feeling, where murders, highway robberies, and other violent crimes have been most rife, and would be again were the people left to themselves. Even with a peaceable population, the fact of its being scattered adds greatly to the difficulty of management in all departments, and had it rested with me, I would have recommended a still further sub-division of the Scinde Collectorates rather than any addition to their already over-grown area.

36. There cannot, I think, be a doubt but that if Scinde were divided and managed on the Punjab system, each of the Scinde Collectorates would like Peshawur and Mooltan be formed into a separate division, and placed under a Commissioner, and not under a first class deputy. Even if the districts were poorer, less improveable and less populous than they are, it would be impossible to provide for the administration of justice by a single officer, with the powers of a Judge and Sessions Judge and an appellate Court 500 or 600 miles distant, which would be the consequence of turning the present

* This is the Area assigned to Mooltan, but I think it must be erroneous. The Trans-Sutlej division. The next smallest, is 6791 square miles.

APPENDIX No. 622

Officers in Scinde.

Collectors into 1st grade Deputy Commissioners, restricting the powers of the Commissioner of Scinde to those of a Commissioner of a division in the Punjaub, and transferring the appellate powers he now exercises, to Bombay or Lahore.

37. Looking to the number of Civil officers and their salaries as given in the enclosed letter and printed reports, I am convinced that the result of assimilating the Scinde administrative staff to the Punjab standard would be to increase rather than diminish both the number and the salaries of the officers heretofore employed in Scinde.

Para. 4 and elsewhere of Punjab printed Report.

38. I have no doubt but that assimilation of the scale of Scinde salaries, to that actually in force in the Punjab, would ensure a much more rapid improvement in the administration than is now possible. But such increase in the scale of salaries could hardly have been the result contemplated when the orders now referred to were issued.

39. The following tables show the proportion which the present district staff of the Punjab bears to the revenue and area of that province as compared with the district staff of Scinde. In the comparison the Thur and Purkur and Jacobabad frontier districts are not included, if they were taken into account the contrast would be yet more striking.

1*st*. There are 127 Officers in the Punjaub at an aggregate expense of Rs. 93850 per mensem, to 22 Officers in Scinde at an aggregate expense of Rs. *15400 :—

Punjaub.			*Scinde.*		
7 Commissioners of Divisions, each ...	Rs.	2750	3 Collectors at	Rs.	1500
27 Deputy Commissioners at	„	1500	19 Deputies at	„	700
		1200			600
		1000			500
45 Assistant Commissioners	„	700			400
		600			
		500			
48 Extra Assistant Commissioners at various rates under...	Rs.	500			

2*nd*. The gross land revenues of the Punjab, and of the three collectorates in Scinde, the Punjab for 1852-53 the last year in the published report,† and Scinde for 1854-55, are as follows :—

Punjab	Rs.	1,56,59,000
Scinde	„	36,35,000

* On the scale I recommended it would have been Rs. 19600.

† The Peshawur Division is not included in the abstract at page 30 of the Report. I have set it down at 12 lacs.

APPENDIX No. 622

Officers in Scinde.

3rd. The proportion of gross land revenue to the district staff of Civil Officers, is one officer to every Rs. 1,23,000 in the Punjab, and one officer to every Rupees 1,65,000 in Scinde.

4th. In all revenue and judicial work, the agency of Civil servants trained to those especial duties is of course the most useful. Of such agency (that is Civil servants of all descriptions) the total number employed in the province is according to the latest Civil list—

Punjab	43
Scinde	6

I cannot tell exactly how many of these are employed in the districts in the Punjab, apparently 39, but in Scinde the number employed is 3.

5th. The proportion of Civil Servants to gross land revenue, is in the Punjab one Civilian to every Rs. 3,87,418, in Scinde one Civilian to every Rs. 6,05,866.

6th. The proportion of the pay of the district Staff to the gross land revenue, is in the Punjaub about 1 to 166$\frac{5}{9}$ and in Scinde 1 to 236.*

7th. The area of the Punjab is 81,626 square miles; of Scinde, exclusive of the frontier districts and Thur and Parkur, 57,532 square miles.

8th. Comparing the area with the number of Officers employed on the district Staff, and with the total number of Civil servants in the Province, the proportions are —

Punjab.....	One Commissioner, Deputy Commissioner, Assistant or Extra Assistant to square miles	642$\frac{3}{4}$
	One Civil servant to every square mile ...	1898$\frac{1}{4}$
Scinde	One Collector or Deputy Collector to every square mile	2615
	One Civil servant to every square mile ...	9605

40. The comparison might be extended, but the above will suffice to show that any real assimilation of establishments in Scinde would involve a considerable addition to the number and pay of the district staff of Collectors and Deputies, and a large increase in the number of members of the Civil service employed in the province.

* On the scale of salaries I recommended, the proportion would have been 1 to 185$\frac{1}{4}$.

APPENDIX No. 622

Officers in Scinde.

41. Compared with the rest of the Bombay presidency, the charges of Collectors in Scinde are in no way inferior in extent or responsibility to those of Collectors in our older provinces. It is not easy nor safe to judge from isolated statistical facts, but a comparison of the table given above in para. 32, with the following will show that, while the Scinde Collectorates are very much larger in area than the largest of the older Bombay Collectorates, they do not fall so far short of the Bombay average in population and revenue, as to make up for the burden of Judicial duties from which the Bombay Magistrates are entirely free, and there are in Bombay, Collectorates much smaller in every respect, smaller in area, smaller in populations, and yielding less revenue than any in Scinde.

Collectors in Scinde, compared with Collectors in Bombay.

	Area in Square Miles.	Population Souls.	Revenue.	REMARKS.
Largest Collectorate...	10,222	10,25,000	21,50,000	The latest published returns has been taken. It is generally 1853-54, but often a year or more earlier.
Smallest do. (omitting) Bombay ... ... and Angria Colaba	1,319	2,90,000	71,30,000	
Average	5,200	7,64,000	14,52,000	

42. The same result will be apparent if the comparison be extended to the N. W. Provinces :—

Collectors in the N. W. Provinces.

	Area in Square Miles.	Population Souls	Revenue. 1854-55.	
			1846-47.	
Largest Collectorate	5,521	23,86,000	21,39,000	Taken from the Census 1846-47, as given in the published Records.
Smallest do.	456	2,10,000	3,50,000	
Average of 31 Collectorates	1,673	6,35,000	13,00,000	

43. These Collectorates appear to be smaller than those of Bombay; and some of them in revenue and population, and all in area are apparently much smaller than any Collectorate in Scinde. They are generally, I believe, admirably settled, and hence the contrast of their pay, the lowest, I believe, being Rs. 2,250 per mensem, with the Rs. 1,500 assigned for far heavier duties in Scinde, becomes yet more striking.

44. I may be mistaken but my conviction is, that the manageable size of the Collectors' charges in the N. W. Provinces, is one great cause of the acknowledged excellence of the administration.

Collectors in Madras.

45. Even in Madras where the districts in general are so densely populated and so productive in revenue, there appear to be Collectorates with as small a population and revenue as any in Scinde, while the Madras Collectorates are all smaller in area, and if, as I have no doubt, there are difficulties in the management of the small districts, which make up for their inferiority in other respects, it bears out the argument that such irregularities may exist, without reducing the charge below what justifies the grant of full Collector's pay to the Officer in charge. The great extent of the Collectors' charges in Madras has been frequently adverted to as a fault in the administration of that presidency, with how much justice I am, of course, unable to judge, but the notice taken of the peculiarity in the proceedings of the late Torture Commission inclines me to think, that the paucity of European officers in such large charges is generally felt as a very serious evil.

	MADRAS.	Area in Square Miles.	Population Souls.	REVENUE.
FROM THE REVENUE REPORTS FOR 1852-53.	Largest Collectorate under the Board of Revenue ...	10,586	17,56,000	51,55,000
	Smallest Ditto	2,380	2,73,000	8,65,000
	Average	6,546	11,25,000	24,40,000
	Largest of the 5 Collectorates under the Commissioner for the Northern Circars	7,650	12,54,000	25,23,000
	Smallest Ditto	4,960	5,20,000	13,37,000
	Average Ditto	6,010	8,04,000	17,80,000

46. In estimating the duties of Collectors and Magistrates in Scinde it is necessary always to bear in mind that they have charge of heavy Judicial duties, while in Bombay, the N. W. P., and Madras, such duties are always entrusted to an entirely separate Judicial establishment under a Judge, with frequently an Assistant Judge to aid him.

47. In this respect the system in Scinde resembles that of the Punjab.

48. In the comparisons above drawn, I may have erred with regard to some details, my information being necessarily very imperfect, and perhaps erroneous, but not I hope as regards the main facts to an extent which would invalidate the inference I wish to draw, *viz.*, that if from Rs. 2,250 to Rs. 2,333 per mensem be reasonable pay for a Collector and Magistrate in any of our older settled districts where he has nothing to do with Judicial

work, and if Rs 2,750 be no more than is suitable to the same duties with Judicial duties added as in the Punjab, I would respectfully submit that Rs. 2,333 was not unreasonable remuneration for such duties, including the Judicial in Scinde and that Rs. 1,500 is far from sufficient.

49. But even if I have succeeded in proving that the sum now assigned to Collectors in Scinde is disproportionately low when judged by our Indian standard, it may be said that such standard is unnecessarily high, and the terms of the Hon'ble Court's despatch alluded to in the present letter from the Government of India, imply a doubt as to whether the salaries usually received by our Indian Collectors be not generally too high.

Indian Collectorates compared with British Colonies.

50. If any such doubt be entertained, I would respectfully suggest a comparison of our Indian Collectorates as regards area, population, and Government revenue, with some of our principal Colonies. Though by no means infallible guides, such statistical facts afford some of the few data whence we can judge of the relative weight and importance of the duties involved in the fiscal, judicial and political administration.*

Colony.	Area in Square Miles.	Population Souls.	Public Revenue.
Canada	3,80,000	16,00,000	£ 558,000
Cape	1,10,000	1,80,000, of whom about half are white and half colored.	£ 243,000
Ceylon	24,500	14,42,000, of whom about 8,500 are white.	£ 425,000
Demarara ... . } British Guiana .. .. }	12,000	1,30,000, of whom 3,500 are white.	£ 106,000
Jamaica	6,200	4,00,000, of whom 15,000 are white.	£ 290,000
Mauritius	840	1,61,000	£ 361,000
New Brunswick	26,000	1,56,000	Not given.
Newfoundland	57,000	1,00,000	"
New Zealand	1,00,000	1,18,000, of whom 18,000 are Europeans.	
Nova Scotia	15,620	300,000	£ 112,000
Tasmania or Van Dieman's Land	27,000	70,000 population, of whom only 45,000 were free.	£ 130,000

51. It will be seen that only our largest and most important Colonies exceed in area, population and public revenue, what would be in India a Collectorate, and if salaries ranging I believe from £3000 to £7,000 per annum are no more than sufficient remuneration in a good climate and in civilized

* The facts are taken from the latest Edition of MacCulloch's Geographical Dictionary corrected up to 1852. For obvious reasons, the Gold Colonies are omitted as at present entirely exceptional in all their circumstances.

society, for the man who is aided in governing a colony by all the machinery of Assemblies and Councils, Executive and Legislative Supreme Courts, &c., &c., when he is backed by all the authority of a Royal Commission and generally supported by a social rank, higher than that of any of the people he is sent to govern, surely the Indian scale of remuneration cannot be thought excessive for a man who is required to manage an Indian Collectorate in an Indian climate, without any of the aids or advantages which I have enumerated as enjoyed by a Colonial Governor.

52. Of course there is a wide difference between the two duties. In Canada no doubt, and perhaps occasionally elsewhere, important political questions arise, which require a statesman of experience and ability to deal with them, and are beyond the powers of a mere well-trained administrator. But if it is fair to judge from Blue Books, the questions which from time to time convulse our other Colonies, are rarely such as would, in India, be considered beyond the capacity of an ordinary Indian Collector to deal with, and many such questions seem to grow to Blue Book dimensions which, if a Collector failed to settle them out of hand, he would certainly be removed by an Indian Government.

53. Still I do not assert that our Indian Collectors would always manage Colonies, as well as I think they generally manage their own Collectorates, but I believe the failures would not be more frequent than those of any class of men hitherto tried in the Colonies, and I am quite sure that we have in India difficulties to contend with, which only constant and early practice, and a good training and system enable our Collectors to overcome, and which are quite as great in their way, as those which beset a colonial Governor.

54. If in India we are free from such difficulties, as the soured emigrant, the professed preacher of sedition, and the exile for his crimes, convict or non-convict, too often conspire to place in the path of the well-meaning Colonial Governor, we have difficulties of our own in a population universally alien from us in language, religion and habits, often containing in itself elements mutually hostile, and always hard for a stranger to understand—not generally uninformed savages, but possessing often a degree of civilization and intelligence quite equal to many nations of Europe, and always strongly wedded to their own ancient usages, patient of customary oppression, while they are unreasonably sensitive to the slight inconveniences of useful reforms, and but too often as prone to oppress their inferior fellow-subjects as they are to be servile to their superiors. To collect a revenue generally larger than that of Demarara, Nova Scotia or Van Dieman's Land, sometimes as large as that of the Cape, Ceylon, Jamaica or Mauritius,—to preserve the public peace, and to administer justice to from half a million to two millions of such men, scattered over a country sometimes as large as

Denmark or Scotland, and generally larger than Wurtemburg, Saxony, or Baden, is surely no easy task.

55. If a colonial Governor has many turbulent subjects, they are at least well able to protect themselves and manage their own affairs. He may sit still with the certainty that if abuses exist, and reforms are required, they will not be long in forcing themselves on his notice. If he only hold the balance with judgment and impartiality, and is pains-taking and industrious, he can rarely go wrong. But it must be borne in mind, that the Indian Collector, as administrator of a province, usually stands quite alone. He has no councils nor responsible advisers, and very rarely even a casual associate among his fellow-countrymen of age or experience equal to his own. He must get on as best he can by himself, with the aid of his Native co-adjutors. If inclined to improve or reform beyond the very narrow limits which would content them, he must devise his own improvements and not only originate, but carry through his own reforms. No good advice to which he must at least listen, helps to shape his good designs, and what is perhaps the severest trial of all for infallible human nature, his prejudices are rarely corrected, or his crude ideas improved by wholesome opposition, and the conflict of contending interests. Taking these and all other difficulties of the position into account, I feel assured that an impartial Judge would find that the Collector's position required higher mental qualities than are needed for most colonial Governments, and I believe the verdict would be, on the same side, if the enquiry were extended to ascertain which class of functionaries had been most successful in the discharge of their duties.

56. But it may be urged that our colonial Governors are overpaid, and that extravagant pay to them is no good argument for the high pay of our Indian Collectors.

57. Where the fair price of a commodity cannot be ascertained by the ordinary rules of supply and demand, it is not easy to fix it from other considerations, but I think there is much to show that the usual pay of Indian Collectors* is in no way disproportioned to the work they perform.

* I mention Collectors because their pay more or less regulates that of other officers. It is in fact about the usual pay of a head of an office, the highest grade to which the great majority in the service ever reach or aspire.

58. It is many years since the present scale was fixed. What has been the result? How do the Collectors live? and what fortunes do they carry away with them? These are questions not difficult to answer with a near approach to correctness, in a society where every one's habits and affairs are pretty well known to even the less inquisitive of his neighbours.

59. Some Collectors no doubt live in great comfort and luxury, but such men if they keep out of debt, rarely save much for their old age. Such as do their duty, and live within their means, generally lead a life of un-

ceasing labor, which few men who have passed their manhood, think even tolerable after the first novelty has worn off. What appear to be luxuries are found to be little more than the necessaries of life in an unfavorable climate. Of this, no better proof could be given than the ease with which they are resigned, when failing health or family ties induce a man to look homeward.

60. As a rule, our Collectors do not live in greater comfort than our lawyers and merchants, men who earn every rupee, and whose earnings depend on their health. If their means of so living are superior to those of Military men, it must be remembered that, whether justly or not, the money pay of Military men has been in every civilized country, and in all ages, lower than that of the Civilian.

61. But some Collectors have lived with an extreme parsimony, incompatible with comfort or decency, and barely consistent with a due regard to health. We all know a few such men, and that they have taken home what in the Civil service are called large fortunes. Yet these fortunes are none of them larger than those which merchants and lawyers who have been tolerably successful, look on as the current reward of periods of exile much shorter than the Indian service of a Civilian.

62. It is with these professions that the emoluments of our Collectors should be compared. The men are often drawn from the same class of society, and from the very same families. If the education of the lawyer is more expensive, that of the merchant and planter is less so. As a profession, the service of Government, and a sure provision in sickness as well as in health, will always have a degree of preference. But though there is now no monopoly either of the law or commerce, the supply of men who come to India as barristers, attorneys, or merchants, is hardly equal to the demand, and in Bombay at all events their profession is not, as it usually is elsewhere, a lottery. *Any* man with very moderate abilities, industry and good conduct, who comes out as a merchant or lawyer, appears sure not only to make a living, but to save within twenty years a comfortable provision on which to retire. If his health stand, he can hardly fail in either profession, except from more than ordinary incompetence or extreme misconduct. This has been the case for certainly more than twenty years, and there is no apparent reason why it should not so continue. At the present moment, there is hardly a member of either profession in Bombay who has been out twenty years and is moderately qualified to the extent above specified, who has not made, (and in some cases lost again and re-made), a comfortable fortune, and the friends of all who have failed to do so, can at once lay their finger on the obvious cause of failure. This is more particularly the case with mercantile men. In most of the leading houses, the partners have been renewed, in some cases twice, during the period referred to, and each successive generation has generally carried home an ample fortune.

63. I could mention several families who have one brother in a mercantile house, and another in the Civil service, and in each case the merchant, even when starting the later of the two, has retired with a fortune, while his Civilian brother is still working for a life pension, which, when obtained, will form the major portion of the fortune he will have secured.

64. These facts are notorious to all who are moderately well acquainted with the circumstances of our limited European community, and the inference I would draw from them is, that the Government Civil service, with its present rates of pay, is not as a means for making money superior or equal to such professions as law or commerce in this part of India, even excluding from consideration the great prizes in those professions, and taking only the average emoluments ; and I cannot but think that there is a great risk attendant on any measure which shall increase the disparity—a risk of getting, to fill the responsible offices of the Civil service, a class of men much inferior to those who would come out as merchants or lawyers.

65. That this evil is not entirely imaginary may be shown from the experience of Ceylon. It was I believe not many years ago that a late Secretary of State for the Colonies, sent out a despatch noticing in very severe terms the inefficiency and low tone of the Government Civil service, and tracing the evil mainly to the great comparative pecuniary advantages held out by commerce and coffee-planting. That this was one great cause was proved by constant attempts of the servants of Government to engage in commerce or planting, either combined with or in supercession of their public duties. Among the remedies noticed as necessary was an increase in the salaries of Government servants.

66. This despatch referred to a period when all men seemed possessed with a mania for trade or money-making speculation. India and every other country, where much money is to be made, is liable to such visitations of commercial fever. But it has hitherto been chiefly confined, as far as Government servants are concerned, to our presidencies and very large stations. Our district officers have been rarely infected by it, and never to a degree to cause any public scandal. A distinct warning to all Government servants that they must abstain from all active and direct participation in agricultural speculation, or in the management of commercial companies, has been quite sufficient to stop the practice, and why? Mainly because the Government service was so well paid, and in other respects eligible, that the inducement to leave it was comparatively small. But the result must have been far otherwise had the pay of the Government service been reduced to a simple sufficiency for current expenditure, and Rs. 1,500 for a man of 35 or 40, with a family, is little better.

67. I trust I shall not be mis-understood as judging of the advantages of such a service as that of the Government of this great Empire, by so low

a standard as that of money pay. But it is this particular point which is now under discussion. Moreover, it is this, which more than most others, determines parents in their choice of a profession for their sons, and I am very certain that any great reduction in the emoluments would lead to a larger infusion of that inferior class of men to whom the money payment is the great object.

68. As the sum of my argument is to "let well alone," I am not bound to specify any standard of what is sufficient, and no more than sufficient remuneration for the Civil servants of Government, but I may observe that the safe rule appears to be to fix the pay at those rates which shall enable the Government servants to live in comfort and save something, without looking to every rupee, or taking too much thought about money. I maintain that practically, and generally, the existing standard of Civil salaries does no more than fulfil this condition. I am very certain that a reduction of Collector's pay to Rs. 1,500, and other salaries in proportion, would not fulfil it.

69. Irrespective of that energy and ability which are rarely wanting in men who go many thousand miles from home to look for a living, you require for the Civil administration of India all those qualities which are usually held to distinguish a gentleman. Thoughtfulness for the feelings and prejudices of others even in manner, that stricter form of probity which is commonly known as honor, and an habitual postponement of all interested and material considerations to a sense of duty, are qualities as valuable as any that can be named in the Indian official. Every man will probably form a different opinion of the chance of attracting men possessing such qualifications by the offer of Rs. 1,500 a month as the reward of 15 to 20 year's hard service in a tropical climate, when at the same time the emoluments of other respectable and honorable professions are so certain and so large. But I submit it is futile to expect to tempt with such prospects, the possessor of all these qualities, combined with that distinguished ability which it is the object of our new Civil service examinations to secure.

70. It behoves any one to speak with diffidence and respect regarding the measures of such a man as the late Governor of Scinde, nor would I willingly attempt to criticise them. But as his authority may be quoted against me on this point, I am bound to declare my deliberate conviction that no measure of Civil administration could have inflicted greater injury on this province than fixing the pay of the Collectors at the low rates proposed by him. The rates of pay, and scale of Establishments which he sanctioned, form, I believe, the only part of his system which for many years past he never found an advocate or defender, and had he remained here a few years longer, I feel convinced he would have seen that it was impossible in the long run for qualified men to do the duty on so low a salary. That a Mili-

tary officer should travel with the smallest possible quantity of baggage, and with a tent barely sufficient to shelter his own person from the sun, is doubtless essential to his efficiency when on actual Military service. But that the same officer should travel in the same manner in such a climate as this, and daily receive crowds of Natives, hear their complaints and administer justice to them in open Court, is simply impossible. It was this attempt to perform the work of administration with insufficient material appliances which was at the root of the confusion and want of system in the offices, the want of publicity as well as form in all proceedings, and the want of personal acquaintance on the part of many officers with the localities and individuals included in their charges, which under the system formerly in force in this province was so seriously detrimental to the public service.

71. I make no distinction between Civil servants, Covenanted or Uncovenanted, and Military officers in Civil employ. If the latter are qualified for the work, and the pay is sufficient for them, no more should be given. But I contend that the pay proposed is not sufficient to secure the services of qualified European gentlemen in any profession. I cannot but think that the manifold inconveniences of the present system of the administrative body composed of members of different services, and subject to so great a variety of rules affecting their pay and their conduct, must at no distant period attract attention, now that the long continued drain on the army, joined to the new rules regarding staff employ, render it impossible to select officers with reference mainly to their fitness. But while the ranks of the Civil administration continue to be recruited as at present, there is no difference in practice, whatever there may be in theory, between what is necessary to secure efficient service, whether the servants be Civilians or Military men.

Recapitulation of suggestions.

72. I will now briefly recapitulate the recommendations which I submit for the favorable consideration of your Lordship in Council, with the hope that they may be recommended to the Government of India and the Hon'ble the Court of Directors.

1st.—That the appointment already sanctioned by Government of one of the officers of the Scinde Horse as Assistant to the Political Superintendent on the frontier, on a salary of Rs. 250 with the powers and duties of a Deputy Collector be continued.

2nd.—That the employment of supernumerary Deputies on Rs. 400 per mensem, to relieve from a portion of their current work those Deputies who are employed as settlement officers in revising the land assessment, be continued as already sanctioned.

3rd.—That the proposed increase of Rs. 100 to the pay of the Uncovenanted Deputy Collector in charge of the Treasury after three years' approved service be allowed.

4th.—That the similar increase of Rs. 300 per mensem be allowed on similar terms to the Deputy Collector customs and harbor Magistrate.

5th.—That the rates of pay heretofore allowed to the Captain and Lieutenants of Police, Rs. 1,000, and 700 respectively, be continued.

6th.—That Rs. 1,000, with a prospective increase after three years' service, to Rs. 1,200 per mensem, be allowed to the Deputy Magistrates in charge of the Adawluts.

7th.—That the senior Deputy Collector in charge of districts be allowed Rs. 800 per mensem.

8th.—That the Collectors be allowed the same pay as in India. *viz.*, Rs. 2,333 per mensem.

9th.—That the Assistant Commissioner for jagheer enquiries be allowed Rs. 800 per mensem.

The above suggestions are grounded on the supposition that Scinde is to remain an integral part of the Bombay presidency, and that the orders so repeatedly impressed on me to arrange the establishments as much as possible in accordance with Bombay custom remain in force.

73. It has always been my opinion that in a province so different from the rest of the presidency in many essentials,—a recent conquest, with a population more Mahomedan than Hindoo, so widely scattered over such a large area, and where more Military men than Civilians were employed in the administration, it would have been better to have called the Collectors Commissioners, and generally to have adopted, as in the Punjab, a nomenclature different from that in use in our older provinces, and less liable to lead to the confusion consequent on applying similar names to officers, with different powers and responsibilities, and though my views on this subject have not hitherto been approved, I venture to express them once more as likely to avoid a fruitful source of constant recurring confusion.

74. With regard to the reductions now ordered in the pay of the Police officers and Collectors, I trust it will not be considered presumptuous in me to record my solemn conviction, that the two measures are full of risk, the former to the peace and good order of the province, and the latter to the improvement and proper administration of the revenue.

75. If it is intended to assimilate the establishments to those in the Punjab, the evil may be mitigated by dividing the province into two Commissionerships of Upper and Lower Scinde, drawing the line of division at the Lukkee hills below Sehwun, and transferring to the Upper Scinde division all the districts of Kurrachee and Hydrabad north of that line, adding the rest of the Kurrachee Collectorate south of the Lukkee hills to

the present Hydrabad Collectorate as the Lower Scinde division Each would then approach more nearly in revenue as well as in other respects to the average of the Punjab division.

76. But to carry out this system on the Punjab plan, would save no expense, as may be seen by the facts stated above in paras. 32 to 40.

77. Nor would such an arrangement make any alteration in the staff required for the districts, there might be some saving in the difference between the pay of the Collector of Kurrachee and that of a Deputy of such grade as must, under any circumstances, be permanently stationed at a growing port like Kurrachee; but the detached district Deputies would receive Rs. 1,500, 1,200 and 1,000 each, whereas the highest paid now gets only Rs. 700, and has never been recommended to get more than Rs. 800.

78. Nor is it in other respects an arrangement I would recommend, as some 40,000 square miles which would be the area of the Lower Scinde division, seems to me to be an area greatly in excess of what is a reasonable charge for any one man with the duties and responsibilities of a Punjab Commissioner, or for a Lieutenant of Police. I am convinced that neither could do real justice to it.

79. Two other alternatives present themselves for making a reduction of expenditure, equal to that effected by the present orders—

1*st*.—A percentage reduction of all Civil salaries from the Commissioner downwards.

2*nd*.—To abolish the office of Commissioner of Scinde.

80. But very strong reasons appear to me to exist against both modes of reducing expenditure.

81. Against the former, because the salaries in Scinde were at the time these orders were issued on no higher scale than those in India, and if any difference at all is to be made, it should not be by lowering the salaries in the more expensive and less agreeable province.

82. Against the latter it appears to me conclusive, that setting aside all other considerations, the mere distance from Lahore or Bombay renders it impossible to provide for proper fiscal or judicial administration without some authority on the spot, superior to a Collector in India or to a Commissioner in the Punjab.

83. In a direct line, the distances of the principal stations are as follows :—

	From Bombay in Miles.	*From Lahore in Miles.*
Kurrachee is about	550	650
Hydrabad	520	570
Shikarpore	680	480

84. These distances are about the same as those from England to Berlin, Marseilles, Trieste, and Florence, and any place of administration which, before railways were laid down, or turnpike roads existed, would have left the appellate Revenue and Judicial business of those cities to be transacted in London, would have given but a faint idea of the all but absolute denial of redress to any Scindian cultivator or suitor who had no nearer place of appeal than Bombay or Lahore.

85. Yet either expedient highly objectionable, as both appear to me to be, would, in my humble opinion, be less objectionable and dangerous to good order and government, than reducing the salaries of Collectors and Police officers to the extent now ordered.

86. This is not the place for discussing reductions in departments unconnected with the Civil administration, and I will, therefore, only observe, that I have on other occasions suggested reductions in the Military force employed in this province, which would much exceed any saving which could be effected by the present orders.

87. The total saving now ordered is little more than half a lac of Rupees per annum, while I have more than once intimated my conviction that inefficient and ill-paid agency has cost Government much more than that every year since I have known the province, and I am equally certain that the loss to Government of revenue which may be created by proper management, but which will never be realized by such Agency as is provided by the present orders, greatly exceeds the whole cost of all the Collectors and their establishments put together.

88. A better example could not be required of the excellent results of the system I advocate, than is afforded by the Punjab, and I would ask no more than that similar measures should be tried in Scinde, with no other alteration than such as is necessary to adapt them to a province which is a portion of a different presidency. The reductions now ordered under the belief, that they are in accordance with the Punjab system, are, I respectfully submit, little more than a return to the worst part of the former Scinde system, and as regards the Police, the retrogression goes still further, and I earnestly hope that the facts I have stated, will be considered as justifying a reconsideration of the very important questions at issue.

89. I also trust that I shall be pardoned for the freedom with which, in the discharge of what appears to me a very solemn duty to the Government of India, I have ventured to state my own opinions and convictions regarding orders which it may be considered I have only to obey.

I have the honor to be, &c.,

H. B. E. FRERE,

Commissioner in Scinde.

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Officers in Scinde.

No. 39.

JUDICIAL DEPARTMENT.

FROM

H. B. E. FRERE, ESQUIRE,

Commissioner in Scinde,

To

THE RIGHT HON'BLE LORD ELPHINSTONE, G. C. H.,

Governor and President in Council,

BOMBAY.

Kurrachee, 29th June 1857.

MY LORD,

No. 1863, dated 6th June 1857. Sanctioning augmentation to the Scinde Police.

WITH reference to the Government letter marginally noted, I have the honor again to bring to the notice of your Lordship in Council, the question of the pay of the officers of the Scinde Police.

2. I have the less hesitation in doing so now, as from the extract of the despatch of the Hon'ble Court of Directors, forwarded to me with the letter as per margin, it is evident that the Court felt the necessity of increasing the pay of the Police, and were under the impression, that the Captain and his Lieutenants were all along drawing the salaries assigned them by Sir Charles Napier.

No. 534, of 9th May 1857. Revenue Department.

Captain of Police	.. Rs.	1,000
3 Lieutenants, each	.. "	700

3. Your Lordship in Council is aware that upon the receipt of the orders of the Government of India, communicated to me as per margin, the above salaries of the Captain of Police and his three Lieutenants were reduced to the amounts now drawn as per margin.

With Government letter in the Revenue Department No. 4202, dated 6th October 1855.
Captain of Police, from Rs. 1,000 to 800.
3 Lieutenants, from Rs. 700 to 500.

4. This has been a very great hardship, and I am assured that the Lieutenants have been thrown into debt thereby, and that it is utterly impossible for them, on such salaries, to keep up the number of horses, &c., required for an efficient performance of their duty, and as the Government of India, in the 7th para. of their resolution above quoted, have authorized the former

rate being drawn, and intimated their impression that the reduced rate has never been put in force, I respectfully request your Lordship in Council will be pleased to order the Captain and Lieutenants of Police to draw the arrears due to them from the date of their pay being reduced, *viz.*, from the 1st day of October 1855, and that from the present date, they be allowed to draw pay at the rates mentioned in the Government resolution, *viz.*, Rupees (1,000) one thousand, and (700) seven hundred, respectively.

Captain of Police, arrears from 1st October 1855 to 31st May 1857, at difference between 800 and 1,000, *viz.*, Rupees 200 per mensem for 1 year and 8 months ..	4,000
3 Lieutenants of Police, from 1st October 1855 to 31st May 1857, at difference between 700 and 500, *viz.*, Rupees 200 per mensem for 1 year and 8 months ..	12,000
Total Rs. ..	16,000

5. These salaries will not be affected by the revision, consequent on the Hon'ble Court's despatch above referred to, for, as I have above stated, the Court have in that despatch taken it for granted, that the salaries now applied for are at present actually drawn.

I have the honor to be, &c.,

(Signed) H. B. E. FRERE,

Commissioner in Scinde.

No. 2463.

JUDICIAL DEPARTMENT.

FROM

H. L. ANDERSON, ESQUIRE,

Secretary to Government,

TO

THE COMMISSIONER IN SCINDE.

Bombay Castle, 25th July 1857.

SIR,

I AM directed to acknowledge the receipt of your letter No. 39, dated the 29th June last, recommending that the Captain and Lieutenants of Police in Scinde be allowed to draw salary at the rates of Rs. 1,000 and 700 respectively from the 1st October 1855, and to transmit to you copy of a resolution passed by Government on the subject.

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Officers in Scinde.

RESOLUTION.—As the Government of India in the resolution, dated 3rd November 1856, intimated their opinion, pending final arrangements, on the question of increasing the Rural Police, and abolishing the Belooch Battalions, that the officers of the Scinde Police might be permitted to continue to draw, as a temporary measure, the salaries they were already drawing, instead of the reduced salaries ordered in September 1855, the Right Hon'ble the Governor in Council will permit the higher rate of salary to be drawn with arrears from the date of the despatch from the Supreme Government. The question of granting arrears from the date, 1st October 1855, on which the salaries were reduced, should be transmitted for the favorable consideration of the Government of India.

I have the honor to be, &c.,

H. L. ANDERSON,

Secretary to Government.

No. 63.

JUDICIAL DEPARTMENT.

FROM

H. L. ANDERSON, ESQUIRE,

Secretary to Government,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA.

Bombay Castle, 25th July 1857.

SIR,

IN consequence of the Government of India having, in their resolution of the 29th August 1855, declined to sanction the scale of salaries which had been proposed by this Government for the Civil department of the province of Scinde, the salaries of the Captain and Lieutenants of Police were reduced respectively from Rs. 1,000 to 800, and from 700 to 500, in accordance with the Punjaub scale, which the Government of India had recommended to the Honorable Court for adoption in Scinde.

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2. But in the 7th para. of the resolution* No. 4738, passed by the Government of India in the Financial department, under date the 24th October 1856, relative to the scale of salaries proposed for the Civil department in Scinde, it is stated that, "with regard to the salaries of the officers of Police, the "Governor General in Council considers that, pending the final arrangements on "the question of increasing the Rural Police, and abolishing the Belooch Bat-"talion in Scinde, the Police officers in that province might be permitted to "continue to draw, as a temporary measure, the salaries which they now "draw," and which were proposed by the Commissioner of Scinde, instead of the reduced salaries which had been recommended by the Government of India to the Honorable Court.

3. The Commissioner, after alluding to the recent augmentation sanctioned to the Police in Scinde, has brought to the notice of this Government that the reduction in the salaries of the Captain and Lieutenants of Police in that province has been a very great hardship. Mr. Frere states, that he is assured the Lieutenants have been thrown into debt, that it is utterly impossible for them, on the reduced salaries, to keep up the number of horses, &c., required for an efficient performance of their duty, and as the Government of India would appear to be under the impression that the reduced rate of salary has never been put in force, the Commissioner recommends that the Captain and Lieutenants be allowed to draw the arrears (amounting, as will be seen from the accompanying Tabular Statement, to Rs. 16,000) from the date of their pay being reduced, *viz.*, from the 1st October 1855 up to 31st May last, and that from the latter date they be allowed to draw pay at the previous rates of 1,000 and 700 Rupees respectively.

4. Under the opinion of the Government of India, alluded to in the 2nd para. of this letter, the Right Honorable the Governor in Council has permitted the higher rate of salary to be drawn by the Captain and Lieutenants of Police in Scinde, with arrears from the 3rd November last, the date of the despatch of the Supreme Government, and I am desired to submit, for the favorable consideration of the Government of India, the question of granting to these officers arrears, as recommended by the Commissioner, from the 1st October 1855, the date on which their salaries were reduced.

I have the honor to be, &c.,

H. L. ANDERSON,

Secretary to Government.

* Communicated to this Government, with Mr. Officiating Under-Secretary Chapman's endorsement No. 1442, dated the 3rd November 1856.

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RESOLUTION by the Government of India, dated 28th August 1857, No 3691.

THE Right Honorable the Governor General in Council declines to sanction the payment of arrears. He is pleased to allow the full salary sanctioned by the Government of Bombay, to be drawn from the date of the orders of that Government to the date of the receipt of these orders. His Lordship in Council is further pleased to sanction the following salaries on the strength of the Hon'ble Court's remarks from the date of the receipt of these orders. One Captain on Rs. 900, and three Lieutenants on Rs. 600 each per mensem.

Original papers returned to the Home department, copies being kept for record.

By order of the Right Honorable the Governor General in Council.

C. H. LUSHINGTON,

Secy. to the Govt. of India.

No. 3420.

JUDICIAL DEPARTMENT.

FROM

H. L. ANDERSON, ESQUIRE,

Secretary to Government,

To

THE COMMISSIONER IN SCINDE.

Bombay Castle, 8th October 1857.

SIR,

I AM directed, by the Right Hon'ble the Governor in Council, to communicate to you, with reference to my letter of the 25th July last, No. 2463, the accompanying Extract of the Resolution of the Supreme Government, dated the 28th August last, in regard to salaries to be allowed to the Captain and Lieutenants of the Scinde Police.

I have the honor to be, &c.,

H. L. ANDERSON,

Secretary to Government.

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Officers in Scinde.

No. 70.

JUDICIAL DEPARTMENT.

FROM

H. B. E. FRERE, ESQUIRE,

Commissioner in Scinde,

To

THE RIGHT HON'BLE LORD ELPHINSTONE, G. C. H.,

Governor and President in Council, Bombay.

Kurrachee, 30th October 1857.

MY LORD,

No. 3420, dated 8th October 1857, giving cover to the resolution of the Government of India No. 3691, dated 28th August 1857, regarding the pay of the officers of the Scinde Police.

I HAVE the honor to acknowledge the receipt of Mr. Secretary Anderson's letter, as per margin, with accompaniment, and to offer the following remarks with a view to the subject being re-considered, as I cannot but think there has been some great misconception, or it may be a clerical error in the sanction accorded.

2. The Hon'ble Court, in their first despatch therein alluded to, desired generally that the scale of salaries in Scinde should be assimilated to that of the Punjaub.

3. As was shown before, the *Lieutenants* of Police in Scinde, answer exactly to the *Captains* of Police in the Punjaub, the pay of whom is Rs. (800) eight hundred, while Sir C. Napier fixed Rs. (700) seven hundred as the pay of the Scinde Lieutenants; assimilation to the Punjaub scale would require that this should be raised to Rs. (800) eight hundred, and not reduced to Rs. (600) six hundred.

4. I cannot help thinking that the name of the officers has led to this reduction. In the scale of pay sanctioned by the Honorable the President in Council, under date the 29th August 1855, No. 3532, the Captain of Police in Scinde was ordered to receive Rs. (800) eight hundred, the same as the Captains in the Punjaub, while the Lieutenants in Scinde were to get Rs. (500) five hundred; no such officers being known in the Punjaub, but the amount being fixed apparently in proportion to their *supposed* duties.

5. The Captain of Police in Scinde has *always* drawn Rs. (1,000) one thousand, save for a short time, when Sir C. Napier, the most economical of modern Indian administrators, allowed a higher salary of Rs. (1,200) one thousand two hundred. The office of Brigadier, filled successively by Colonel Hodgson and General Chamberlain, is the analogous appointment in the

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Punjaub. The Captain of Police is, in fact, the Commandant of three ressalahs of Cavalry, three regiments of drilled Infantry, and a large body of Irregular Sowars, Camel Sowars and detective and City Police. The range of this command is sixty thousand square miles, and Police arrangements throughout this extensive province are in his hands.

6. To place this officer in a position of one in the Punjaub of similar name, but of entirely different duties and responsibilities, is, I would respectfully submit, neither politic nor just.

7. The Scinde Police, under Major Marston, has, to a most remarkable extent, suppressed internal crime, and rendered life and property safe, and is withal most popular throughout the country. During the late crisis, when so large a portion of the regular Army was looked on with more or less distrust, the said Police were popularly regarded as the safe-guard of the well disposed; when the Golundauze did break out into open mutiny at Shikarpoor, it was the Police who were first on the spot, drove the mutineers from their position, and seized the Guns which had been firing grape, and there can be little doubt that but for the fidelity and ability of the Police in previously resisting attempts to tamper with them, detecting and arresting the native officer, the ringleader of the intended mutineers in the 16th Native Infantry, the outbreak would not have been confined to the Golundauze, and might have had a far different termination.

8. At Hydrabad, the Police had a principal part in disarming the suspected Artillery, and I have the best reason for believing, that without their aid, the measure could not have been ventured on in the absence of an adequate force of Europeans. At Kurrachee, the Police have pursued and seized thirty-eight, out of thirty-nine mutineers who escaped, most of them with their arms.

9. In fact it is principally to the Police that I attribute the profound tranquillity of Scinde, and the absence of any anxiety regarding the preservation of the public peace, when, in a frontier province, and during a period of general distrust and alarm, the actual force of the regular troops was (and is still) smaller than at any previous period since the conquest of Scinde. At the time when some of the regular troops mutinied or threatened to mutiny at three out of our four stations, the total force of European Infantry between Mooltan and the sea was less than one weak wing of a regiment, and as many of the men were invalids and recruits, and otherwise non-effective, we could, I believe, have mustered barely 350 effective bayonets on parade. Nevertheless your Lordship in Council is well aware that I at no time felt anxious regarding the internal peace of the province. I had reason to hope that

the people were generally contented, and the British Government as popular as a foreign Government can be; but my main reliance was on a Police which I believed to be thoroughly well organized, and commanded by bold judicious and experienced officers in no single instance did they fail, and so convinced am I of their thorough efficiency and of the powerful hold they have on the country, that as your Lordship in Council is aware, I have been ready at any time during the past five months to answer for the internal peace of the province without the aid of regular troops.

10. That the officers of these corps, whose fidelity and whose worth have been thus proved, should now be finally placed upon allowances less than they have ever before drawn since the organization of the force, cannot, I hope, be the determination of the Governor General in Council.

No. 4, of 15th Jan. 1856.

11. Not only has the augmentation I recommended been sanctioned, but a further increase of Rural Police has been necessary, while the Belooch battalion have been ordered away on general service. The saving, therefore, which was expected from the latter measure by the Honorable Court, has been made, and I trust it will be considered that increased work for the officers of the Police may meet at all events no reduction of salary.

12. Feeling sure of the economy of the measure, I most respectfully but urgently request, that the arrears may be sanctioned by the Government of India, and that the pay one thousand (1,000) a month to the Captain, and (700) seven hundred, to each Lieutenant, may be continued as heretofore.

I have the honor to be, &c.,

H. B. E. FRERE,

Commissioner in Scinde.

APPENDIX No. 623

Officers in Scinde.

No. 1228 of 1857.

TERRITORIAL DEPARTMENT, FINANCE.

To

H. RICKETTS, ESQUIRE.

Commissioner for the revision of Civil salaries and establishments throughout India.

Bombay Castle, 14*th November* 1857.

SIR,

I AM directed, by the Right Honorable the Governor in Council, to acknowledge the receipt of your letter No. 1312, dated the 29th ultimo, and to forward herewith, copy of the papers noted in the margin, relative to the proposed division of the province of Scinde into two districts, *viz.*, Upper and Lower Scinde, and the appointment of one Commissioner for each division.

Memorandum from the Secretary to the Government of India, No. 1442, dated 3rd November 1856, with enclosure.
Letter to the Acting Commissioner in Scinde, No. 1061, dated 6th December 1856.
Letter from the Acting Commissioner in Scinde, No. 482, dated 20th December 1856, with enclosures.
Memorandum by the Commissioner in Scinde, dated 30th April 1857.
Letter to the Commissioner in Scinde, No. 534, dated 9th May 1857.

2. No reply has yet been received from the Commissioner in Scinde to the Government letter No. 534, of the 9th May last, and he has this day been requested to expedite its transmission.

I have the honor to be,

SIR,

Your most obedient Servant,

H. YOUNG,

Chief Secretary to Government.

No. 4738.

Extract from the Proceedings of the Right Hon'ble the Governor General of India in Council, in the Financial Department, under date the 24th October 1856.

Read again the Financial resolution No. 3532, dated the 29th August 1855, regarding the salaries and establishments in the Civil department of the province of Scinde.

Read also the under-mentioned papers on the above subject.

Letter from the Officiating Chief Secretary to the Government of Bombay No. 462, dated 9th May 1856, and its enclosures, including a report on the revenues and charges of Scinde.

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APPENDIX No. 623

Officers in Scinde.

Endorsement from the Home department No. 799, dated 21st May 1856, forwarding for consideration and orders, a letter from the Government of Bombay No. 1663, dated 9th idem.

Endorsement from the Home department No. 800, dated 21st May 1856, forwarding for consideration and orders, a letter from the Bombay Government No. 1662, dated 9th idem, together with three original documents, referring to the subject thereof.

Endorsement from the Home department No. 1375, dated 6th September 1856, transferring for consideration and orders, a letter from the Government of Bombay No. 3152, dated 22nd August 1856.

Despatch from the Hon'ble the Court of Directors, No. 68 of 1856, dated 6th August.

RESOLUTION.—The Right Hon'ble the Governor General in Council remarks that in the Financial resolution of the 29th August 1855, the Bombay Government were informed that the scale* of salaries then proposed for the Civil department of the province of Scinde could not be sanctioned, and that there was no alternative, but to reduce them to the scale† given in the Bombay Civil Auditor's book of establishments for the 1st May 1854, but that if it was deemed advisable by the Government of Bombay, pending the orders of the Honorable Court, to allow the superior officers to draw salaries according to the Punjab‡ scale which was recommended to the Hon'ble the Court of Directors for adoption, this Government would have no objection to the arrangement.

‡ Commissioner	Rs.	4,333	5	4
1 Assistant ditto	"	1,400	0	0
1 ditto ditto Judicial	"	1,200	0	0
1 Uncovenanted Assistant	"	350	0	0
District Officers, Political.				
1 Superintendent on the Frontier Western Scinde	"	500	0	0
Revenue, General, and Magisterial.				
3 Collectors and Magistrates at 1,500 each	"	4,500	0	0
3 Deputy Magistrates at 700 each ..	"	2,100	0	0
5 ditto ditto at 600 each	"	3,000	0	0
4 ditto ditto at 500 each	"	2,000	0	0
3 ditto ditto at 400 each	"	1,200	0	0
Judicial.				
3 Deputy Magistrates at 700 each ..	"	2,100	0	0
3 Moonsiffs at 200 each	"	600	0	0
Jagheers.				
1st Assistant Commissioner	"	700	0	0
1 ditto ditto	"	500	0	0
Sea Customs.				
1 Deputy Collector	"	500	0	0
Canal Department.				
1 Consulting Engineer	"	500	0	0
1 Assistant ditto	"	225	0	0
Under the Collectors.				
3 Assistant Collectors at 500 each ...	"	1,500	0	0
Under the Public Works Department.				
1 Executive Officer	"	400	0	0
2 Assistant ditto at 200 each	"	400	0	0
Police.				
1 Captain	"	800	0	0
3 Lieutenants at 500 each	"	1,500	0	0
Total Rs.. ...		30,308	5	4

2. As regards the Civil establishments§ or subordinate officers, the sanction already given by the Bombay Government was not interfered with,

* Total Rs. 34,508-5-4.

† Total Rs. 29,333-5-4.

§ Total Rs. 43,833-6-0 per mensem, including contingencies.

on the understanding that the sanction was subject to the confirmation of the Hon'ble Court, which has now been received with certain modifications affecting the superior officers.

3. The Hon'ble Court request 1*st*.—That the salary of the Commissioner of Scinde after Mr. Frere's resignation, be reduced from Rs. 4,333-5-4 to Rs. 3,500 per mensem ; 2*nd*.—That the Political Superintendent on the frontier of Western Scinde, be allowed an Assistant on a salary of Rs. 250 per mensem ; 3*rd*.—That the province of Scinde be divided into two districts, *viz.*, *Upper* and *Lower* Scinde, and that instead of three Collectors and Magistrates on Rs. 1,500 each per mensem, there be two Commissioners (with suitable establishments), one for Upper and one for Lower Scinde, on Rs. 2,250 each, making a total of Rs. 4,500 per mensem ; 4*th*.—That in place of 15 Deputy Collectors and Magistrates there be the same number of Deputy Commissioners and Assistant Commissioners, thus—

							Total.		
2 Deputy Commissioners			at Rs.	1,000 each	...	Rs.	2,000	0	0
2 Ditto	Ditto		at „	800 each	...	„	1,600	0	0
2 Ditto	Ditto		at „	600 each	...	„	1,200	0	0
3 Assistants	Ditto		at „	400 each	...	„	1,200	0	0
3 Ditto	Ditto		at „	300 each	...	„	900	0	0
3 Ditto	Ditto		at „	250 each	...	„	750	0	0

5*th*.—That the Junior Assistant Commissioner for jagheer enquiries shall receive instead of Rs. 500 a salary of Rs. 400, 6*th*.—That the Deputy Collector of Customs, instead of Rs. 500 shall be allowed Rupees 750, and after three years' further service, Rs. 1,000 per mensem ; 7*th*.—In regard to the officers of Police who draw in the aggregate Rs. 3,100* per mensem, and for whom Rs. 2,300,† was recommended, the Hon'ble Court desire that it may be considered, whether so large a reduction as that proposed is expedient, the duties of the officers in question being arduous and responsible ; also whether, if the rural Police employed in the province of Scinde were increased to a moderate extent, the two Belooch Battalions, as they are called, but which are supposed no longer to consist of Beloochees, may not be dispensed with, and a considerable saving be effected.

4. The Hon'ble Court further request, that travelling allowances may be fixed in each case, and the amount limited as much as practicable, and they desire that the permanent establishments now sanctioned, be exceeded on no

* Captain ..... Rs. 1,000
Each Lieutenant ..... „ 700
† Captain ..... „ 800
Each Lieutenant ..... „ 500

account without their previous authority, and that "the increase of the salaries of individuals be in no case resorted to as a reward of meritorious service, but that promotion from one grade to another should be the only stimulus employed."

5. The Court finally enquired, with reference to their despatch, No. 60 of 1852, dated 1st December, in which they called for an estimate of the cost of new buildings in Scinde, whether any buildings of magnitude have been constructed in Scinde since 1850, and they require the date of the sanction of this Government in each instance.

6. With reference to the foregoing orders, the Right Hon'ble the Governor General in Council requests, that the Bombay Government may be called upon to submit a report on the following points. 1*st.*—The division of the province of Scinde into two Commissionerships, and the most convenient boundary which the Bombay Government would fix between the proposed districts of Upper and Lower Scinde, also what establishments will be required by the Commissioners in the place of those at present allotted to the Collectors. 2*nd.*—The proposition to increase the rural Police of Scinde which, the Governor General in Council observes, at present costs Rs. 8,240* per mensem or Rs. 98,880 per annum as shown in the books of Civil establishments in that province, and the proposed abolition of the two Belooch battalions, the cost of which appears from the statement of receipts and disbursements to average Rs. 2,30,000 per annum charged under Military. 3*rd.*—The estimate of the cost of new buildings, as required by the Hon'ble Court's Despatch, No. 60 of 1852, dated 1st December, a copy of which was communicated to the Home department with the Financial Extract No. 188, dated 21st January 1853, and whether any buildings of magnitude have been constructed since 1850, with the date of the sanction of this Government in each instance.

7. With regard to the salaries of the officers of Police, the Governor General in Council considers that, pending the final arrangements on the question of increasing the rural Police force and abolishing the Belooch battalions above referred to, those officers may be permitted to continue to draw, as a temporary measure, the salaries which they now draw, and which

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* Kurrachee	Rs.	1,800 0
Hyderabad	„	2,700 0
Shikarpoor	„	3,680 0
Total	Rs.	8,240 0

were recommended* by the Commissioner of Scinde instead of the reduced salaries recommended by this Government to the Hon'ble Court, according to the Punjaub scale.

8. In respect to the travelling allowances referred to by the Hon'ble Court, His Lordship in Council observes from the Statement No. 1, which accompanied the Bombay Government's report on the establishments, dated 19th May 1855, that travelling allowances were proposed to be given in the several cases noted in the margin, and he requested that the Bombay Government may be called upon to report, whether these allowances can, in any case, be reduced with propriety.

Revenue, General and Magisterial.
3 Collectors at 300, each per mensem, for 6 months.
3 Deputy Collectors at 200 each, for 12 months.
5 Deputy Collectors at 150 each, for 12 months.
4 Deputy Collectors at 100 each, for 12 months.
Jaghcers.
1st Assistant at 300, for 12 months.
2nd Do. at 150, for 12 months.
Police.
Captain at 150, for 12 months.
Each Lieutenant at 100, for 12 months.

9. Adverting to the seperate report from the Government of Bombay on the revenues and charges of Scinde in which that Government support a recommendation from the Commissioner of that province in respect to the appointment of four supernumerary Deputy Collectors for the purpose of relieving those Deputies who are employed as settlement officers in revising the land assessment, the Governor General in Council observes that these supernumeraries are already employed on salaries of Rupees 500 each, though it is proposed, as vacancies occur, to allow their successors Rupees 400 each. Before determining, however, whether pending the orders of the Hon'ble Court, those supernumerary officers shall be continued in employment, His Lordship in Council requests that a further report on this point may be submitted by the Bombay Government with reference to the arrangements now sanctioned by the Hon'ble Court which the Government of Bombay are authorized to carry out from such further date as may to them appear expedient.

10. The Governor General in Council does not think that it is now necessary to refer the question of the Scinde salaries and establishments, as was intended, to the Commissioner for the revision of Civil salaries and establishments throughout India.

11. His Lordship in Council defers passing any orders regarding the submission of the report of the Bombay Government on the revenues and charges of Scinde to the Hon'ble Court, or taking any measures in connection

* Captain ..... Rs. 1,000
3 Lieutenants at ..... „ 700 each.

with the question of the reduction of Military charges, until the result of the present reference as respects the Belooch battalions above referred to is laid before this Government.

"Scinde Marine" Receipts on account of "Freight that may be realized by the vessels of the Indus Flotilla, &c."
"Scinde and Indian Navy," "Charges on account of Indus Flotilla."

12. In the mean time with reference to a suggestion that the Bombay Government should be requested to cause an account to be kept of receipts and charges of the Indus Flotilla including *pro formâ* credits on account of public stores, &c., His Lordship in Council desires that the attention of that Government may be drawn to the subject as it does not appear from the entries in the sketch estimate for 1856-57 cited in the margin, whether they include *pro formâ* receipts and charges or not.

ORDER.

Letter from the Government of Bombay Nos. 1662 and 1663, dated 9th May 1856, (and the original enclosures of the former.)

Ordered that a copy of the foregoing resolution be sent to the Home department for information and for communication to the Government of Bombay, and that copies of the letters noted in the margin be furnished to that department for record.

Ordered also, that a copy of paras. 1 to 4, and para. 10 of the resolution be sent to the Commissioner for the revision of Civil salaries and establishments throughout India for information.

(A true Extract.)

(Signed) C. H. LUSHINGTON,
Secretary to the Government of India.

No. 1442.

FORT WILLIAM, HOME DEPARTMENT.

The 3rd November 1856.

Copy forwarded to the Government of Bombay with reference to the letter from that Government No. 3152, dated 22nd August last, and the previous correspondence on the subject.

(Signed) R. B. CHAPMAN,
Offg. Under-Secretary to the Government of India.

APPENDIX No. 623

Officers in Sinde.

No. 1061.

TERRITORIAL DEPARTMENT, FINANCE.

To

LIEUT.-COLONEL J. JACOB, C. B.,

Acting Commissioner in Scinde.

Bombay Castle, 6th December 1856.

SIR,

IT being in contemplation, under instructions from the Hon'ble the Court of Directors, communicated to this Government in a recent despatch from the Government of India, to divide the province of Scinde into two districts, *viz.*, Upper and Lower Scinde, and to appoint (instead of three Collectors and Magistrates as heretofore for the whole province) one Commissioner for each division. I am directed to request that you will favor His Lordship in Council, with the least practicable delay, with your report as to the most convenient boundary which should be fixed between the proposed districts of Upper and Lower Scinde, and state your opinion as to what establishments will be required by the two Commissioners in the place of those, at present, allotted to the Collectors.

I have the honor to be, &c.,

(Signed) H. YOUNG,

Offg. Chief Secretary to Government.

No. 482.

TERRITORIAL DEPARTMENT, FINANCE.

FROM

LIEUT.-COLONEL JOHN JACOB, C. B.,

Acting Commissioner in Scinde.

To

THE RIGHT HON. LORD ELPHINSTONE, G. C. H.,

Governor and President in Council,

Bombay.

Dated Camp Jacobabad, 20th December 1856.

MY LORD,

No. 1061, dated 6th December 1856.

I HAVE the honor to submit the report called for in the Government letter as per margin.

2. I would, however, premise that in his letter now noted, Mr. Frere has already briefly sketched an arrangement which might be adopted in the contingency of the province being divided into two Commissionerates, in lieu of being as at present apportioned into three Collectorates. It is true that Mr. Frere's letter was penned at a time when the measure, now in the immediate contemplation of the Hon'ble Court, seemed a possible but remote contingency, and it is possible from the general tenor of Mr. Frere's sketch that it was intended rather as a suggestion for future consideration, than as the expression of a mature opinion. But I consider, nevertheless, that before submitting my own views regarding the division of the province into Commissionerates, I should explicitly remind Government of what is already upon record relative to this subject.

Letter No. 562, dated 31st December 1855.

Para. 75. If it is intended to assimilate the Establishments to those in the Punjaub, the evil may be mitigated by dividing the Province into two Commissionerships of Upper and Lower Scinde, drawing the line of division at the Lukkee Hills below Schwan; and transferring to the Upper Scinde Division all the Districts of Kurrachee and Hydrabad North of that line, adding the rest of the Kurrachee Collectorate South of the Lukkee Hills to the present Hydrabad Collectorate as the Lower Scinde Division. Each would then approach more nearly in Revenue as well as in other respects to the average of the Punjaub Division.

3. When the area to be fairly divided amounts to 50,000 square miles it is impossible that both Commissionerates should be otherwise than very extensive. And when, as is the case in Scinde, an area of the above extent lies in such a shape that the three chief extremital points, namely Shikarpoor, Kurrachee and Nuggur Parkur, form nearly an equilateral triangle, it is impossible to define boundaries so as that neither Commissioner shall be burdened with a track of country equal in length to one of the sides. It remains then 1*st*.—To observe, in so far as may be feasible, the boundaries which nature has prepared; 2*ndly*.—To maintain unbroken under one authority the main lines of communication; and the arrangements having reference to the interests of trade following these lines; and 3*rdly*.—To fix the sudder stations of the Commissioners at those points which, under all existing circumstances, may seem best adapted to facilitate the administration and to secure the convenience and interests of the province in general.

4. I cannot doubt that these advantages would most surely and permanently be secured by considering the natural line of the river as the main line of separation between the two Commissionerates. The Commissioner of Upper Scinde would then have his principal station, as at present, at Shikarpoor. His authority would extend to Kurrachee and would be unbroken throughout the line of communication, seeking this port by the

right bank of the Indus, along which, with one exception, to be presently noticed, the charge of this Commissioner would entirely lie. The Commissionerate of Lower Scinde would, on the other hand, be wholly on the left bank of the river. Its sudder station would, as at present, be Hydrabad, and its districts would be continuous and comparatively compact, bounded on the westward by the river, on the north by Meer Ali Moorad's Territory, to the east by the great Desert, and on the south by the Ocean and the Runn of Kutch.

Roree districts, vide para 10.

5. Each division should be apportioned into three Deputy Commissionerates; and subordinate to every Deputy Commissioner, should be at least one Assistant Commissioner. In the case of the Shikarpoor Commissionerate, the charges of the Deputies should be as follows. 1*st.*—The senior Deputy Commissioner should be stationed at Kurrachee, and should exercise, subject of course to the general supervision of the Commissioner of his division, revenue and magisterial authority on the right bank of the river, westward as far as the boundary of the Kelat state, and northward as far as Peer Arree and the Lukkee Pass. This charge would include the districts in the immediate vicinity of Kurrachee, the Deputy Collectorate of Jerruck, the hill region, and that portion of the Sehwan districts which lies to the southward of the Lukkee Pass. The assistant to the Deputy Commissioner of Kurrachee might reside at Kotree, and be entrusted with such duties as his superior should deem him competent to discharge. 2*nd.*—The second class Deputy Commissioner for this division should be stationed at Larkhana; and his charge should be composed of the Sehwan districts lying to the northward of Peer Arree and the Lukkee Pass together with the Deputy Collectorates of Mehur and Larkhana. The Assistant Commissioner for this charge should reside at Mehur. 3*rd.*—The third class Deputy Commissionerate for the Shikarpoor division should comprise the Deputy Collectorates of Sukker and Roree (the latter on the left bank). The head quarters of this Deputy should be Sukkur, and his assistant should reside somewhere in the districts of Roree.

6. In the case of the Lower Scinde or Hydrabad division, the three Deputyships should be defined as follows. 1*st.*—The senior Deputy Commissionerate of Oomerkote, combining the present very extensive, although not proportionately valuable Deputy Collectorate of Meerpoor, with the districts of Thurr and Parkur, recently transferred to the Collectorate of Hydrabad. The sudder station of this charge should be Oomerkote, and the assistant might reside at Meerpoor. 2*nd.*—The second class Deputy Commissionerate, composing the districts to the northward of Hydrabad, namely those contained in the Deputy Collectorates of Halla and Nowshera.

The head quarters of this Deputy would be Halla, and his assistant would reside at Tarooshah. *3rd*—The third class Deputy Commissionerate of the Districts to the southward of Hydrabad, comprising the Deputy Collectorate of Mahomed Khan's Tanda, in the Collectorate of Hydrabad, and the Deputy Collectorate of Shahbunder, in the Collectorate of Kurrachee. The Deputy Commissioner of these districts should reside at Laikpoor in the Shahbunder districts, and his assistant should reside at Mahomed Khan's Tanda.

7. There would then still remain, unprovided for in this division, the small district of th eDoabch in the immediate vicinity of Hydrabad itself This district has hitherto been administered by the Collector direct; but I would strongly recommend that a junior assistant be appointed to it. This officer could then become acquainted with his Civil duties under the immediate supervision of the Commissioner, and would be available for general duty upon any of those emergencies, which, as Government are well aware, are of so constant recurrence in this province.

8. In regard of the Treasuries, these should, I am of opinion, remain as at present. The revenues of the Hydrabad division would be paid into the Treasury at Hydrabad. The revenues of the Shikarpoor districts to the northward of the Lukkee Pass, would be paid into the Treasury at Shikarpoor, as would also be the revenues of the frontier district, whose revenue management would nevertheless still continue in the hands of the Political Superintendent on the frontier. Lastly the revenues of the right bank to the southward of the Lukkee Pass would flow into the Treasury at Kurrachee. There should, I consider, be an Assistant specially appointed to the charge of each Treasury.

9. As illustrative of the proposed re-adjustment of boundaries, I have the honor to append two maps of the province,—one showing the boundaries of the Collectorates, Deputy Collectorates and Kardarates as they now stand, the other showing the boundaries of the Commissionerates and Deputy Commissionerates as I would propose to arrange them. From a comparison of these two maps Government will observe that the limits of all the Nardarates would remain precisely as they at present are. The Deputy Collectorates would be combined but would not be broken up, unless in the case of the Sehwan charge, half of which would, as before described, fall under the Deputy Commissioner of Kurrachee, and half under the Deputy Commissioner of Larkhana. As regards the Collectorates both that of Shikarpoor and Hydrabad would remain intact. The Collectorate of Kurrachee would indeed be broken up, its left bank districts falling to Hydrabad and its districts on the right bank falling to Shikarpoor; but it would be impossible to suggest any division of the entire province which should avoid interference with the present boundaries of Kurrachee

10 It is true (as alluded to in a previous para. 4) that even under the distribution now suggested the district of Roree would be separated by the river from the remainder of the Upper Scinde Commissionerate. But it is manifest on the face of the map, that this district is isolated. If it be not attached to Shikarpoor, it must be attached to Hydrabad, from the most northerly districts of which division, it is separated by the territory of His Highness Meer Ali Moorad. But obviously the division caused by the River is less inconvenient than that caused by the intervention of a foreign territory, and in the case of the proposed bridge over the Indus being executed, this separation would practically be removed. But even were it otherwise, the addition of the Roree district to the Commissionerate of Lower Scinde would render the latter incontinuous and so vast in extent, as to be quite beyond the powers of one Commissioner's superintendence.

11. The probable annual land revenue to be derived from each Commissionerate are shown in the subjoined figures :—

	Gross Land Revenue in 1854-55.		
Upper Scinde	17,49,293	11	11
Lower Scinde	17,10,099	7	0
Total... ...	34,59,393	2	11

12. The foregoing aggregate of land revenues may be analysed as follows, under the headings of the several Deputy Commissionerates whence they would be derived.

	Gross Land Revenue for 1854-55.*					
UPPER SCINDE.						
Kurrachee	3,84,595	6	8			
Larkhana	7,61,865	14	4			
Sukkur and Roree	6,02,832	6	11	17,49,293	11	11
LOWER SCINDE.						
Oomerkote	2,82,323	7	4			
Halla	6,61,357	1	7			
Shahbunder	6,92,092	5	2			
Doabeh	74,326	8	11			
(Vide para. 7 of this letter)				17,10,099	17	0
Total for the Province ...				34,59,393	2	11

* The Sayer Revenue, exclusive of Customs, would amount to Rs. 3,45,000 in addition.

APPENDIX No. 625

Officers in Scinde.

13. From this analysis, it appears that the revenue to be anticipated from the senior Deputy Commissionerates of Kurrachee and Oomerkote respectively, are less than those to be derived from the Deputy Commissionorates of a lower class. But I am nevertheless of opinion that the officer to be placed permanently in charge of the Revenue and Magisterial duties at and in the neighbourhood of Kurrachee, should be a person of ability and of experience while in regard of the Oomerkote charge. I consider that as its duties involve matters of more or less political moment with the Sodas and other chiefs along the eastern desert, and as, moreover, a continued residence in a desert region is both expensive and generally disliked, while the district, if not well managed, might as formerly prove troublesome to all the country in its vicinity, I consider the officer appointed to this charge should be specially selected and should be of an active and energetic yet temperate and persevering disposition. For these reasons, therefore, I suggest that both Kurrachee and Oomerkote be constituted Deputy Commissionerships of the 1st Class.

14. As showing the financial results of carrying into effect the modifications of establishment now suggested, I have the honor to subjoin a comparative statement, showing the numbers and salaries of the Deputy Collectors and Magistrates now employed, as compared with what might be the numbers and salaries of the Deputy and Assistant Commissioners.

Districts.	No.	Officers.	Amount of Salaries.	Monthly rate of Batta.	Total.	Commissionerate.	No.	Officers.	Consolidated Salary inclusive of Travelling Allowance.	Total.
Kurrachee.	1	Depy. Collr. 1st Class..	700 0 0	300 0 0	1,000 0 0	Lower Scinde.	1	Deputy Commr., 1st Class	1,500 0 0	
	1	Do. do. 2nd do...	600 0 0	150 0 0	750 0 0		1	Ditto ditto 2nd ditto	1,200 0 0	
	1	Do. do. 3rd do...	500 0 0	150 0 0	650 0 0		1	Ditto ditto 3rd ditto	1,000 0 0	
	1	Supery. Depy. Collr. ..	500 0 0	150 0 0	650 0 0		1	Assistant ditto 1st ditto	700 0 0	
	1	Depy. Collr. Treasury..	400 0 0	0 0 0	400 0 0		1	Ditto ditto 2nd ditto	600 0 0	
	1	Judl. Depy. Magistrate	700 0 0	300 0 0	1,000 0 0		1	Ditto ditto 3rd ditto	500 0 0	
					4,450 0 0		1	Ditto ditto in charge	500 0 0	
							1	Ditto in charge, Treasury Hyderabad	400 0 0	6,400 0 0
Hydrabad.	1	Depy. Collr. 1st Class..	700 0 0	300 0 0	1,000 0 0	Upper Scinde.	1	Deputy Commr., 1st Class	1,500 0 0	
	2	Do. do. 2nd do...	200 0 0	300 0 0	1,500 0 0		1	Ditto ditto 2nd ditto	1,200 0 0	
	1	Do. do. 3rd do...	500 0 0	150 0 0	650 0 0		1	Ditto ditto 3rd ditto	1,000 0 0	
	1	Supery. Depy. Collr. ..	500 0 0	150 0 0	650 0 0		1	Assistant ditto 1st ditto	700 0 0	
	1	Depy. Collr. Treasury..	400 0 0	0 0 0	400 0 0		1	Ditto ditto 2nd ditto	600 0 0	
	1	Judl. Depy. Magistrate	700 0 0	300 0 0	1,000 0 0		1	Ditto ditto 3rd ditto	500 0 0	
					5,200 0 0		1	Ditto in charge, Treasury Shikarpoor ..	400 0 0	
Shikarpoor.	1	Depy. Collr 1st Class .	700 0 0	300 0 0	1,000 0 0		1	Ditto in charge, Treasury Kurrachee .. .	400 0 0	
	2	Do. do. 2nd do ..	200 0 0	300 0 0	1,500 0 0					
	1	Do. do. 3rd do...	500 0 0	150 0 0	650 0 0					6,300 0 0
	1	Supery. Depy Collr ..	500 0 0	150 0 0	650 0 0					
	1	Depy. Collr Treasury	400 0 0	0 0 0	400 0 0			Grand Total.. .	.. ..	12,700 0 0
	1	Judl. Depy. Magistrate*	700 0 0	300 0 0	1,000 0 0					
					5,200 0 0					
		Grand Total	.. ..	.. ..	14 850 0 0					

The Judicial Deputy Magistrate only draws this Batta when absent upon duty in the Districts.

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Officers in Scinde.

15. In this figured statement, I have excluded from the list of proposed establishments the office of Judicial Deputy Magistrate in charge Adawlut, and it will be for Government to determine whether under a judicial system adapted to the offices of Commissioners with their Deputies and Assistants, the office of Judicial Deputy Magistrate will still be required.

16. I have further deemed it unnecessary to make any mention in the foregoing statement of the Kardars and their subordinates, for the Kardarates remaining as at present, no change in the native agency by which they are administered will be required.

17. Some modifications would, of course, be necessary in the hoozoor offices of the Deputy Collectors. But as these modifications would vary in almost every different locality, it would not be easy to lay down, beforehand, any one general rule of change. It is probable, however, that the aggregate numbers and salaries of European Clerks and Moonshees throughout the Province would not, under the proposed system, differ very widely from those which now obtain.

18. Government will remark that under the distribution of the Deputies and Assistant Commissioners now suggested, there will not in any one case be occasion for providing additional accommodation for these officers. The Deputy Commissioner of the Shahbunder districts should indeed reside in his districts; and for this officer an adequate dwelling at some convenient spot would be required. But the same reasons which induce me to urge the advisability of locating the Deputy Commissioner in the Districts over which he would hold charge, apply almost equally to the case of the Deputy Collector for these districts, and I had accordingly determined upon suggesting to your Lordship in Council the advisability of repairing, for the present Deputy Collector, the existing quarters at Laikpoor, situated in the Shahbunder districts.

19. Finally in determining the boundaries of the two Commissionerates, into which it is proposed to divide the province, we should not, I think, altogether lose sight of the fact that by adopting the line of the river we secure to either division nearly equal advantages in regard of climate, whereas, were the boundary to be a line running East and West along the parallel of Sehwan, all the districts preferred on account of the proximity to the sea coast, would fall to the Hyderabad Collectorate, while the districts generally reputed to be the most trying to the European constitution would fall to Shikarpoor, an arrangement which at present is found to possess many inconveniences, but upon which it is not now necessary to dilate.

20. In so far as the boundaries of the proposed divisions, and the arrangements for their Revenue and Magisterial administration are concerned, it does not occur to me to offer any observation beyond those contained in the foregoing paras. Since, however, the call in the Government letter now under reply, is of a general character, it is probable that I may be expected to submit suggestions regarding the Customs, Police and Public Works Departments.

21. In respect to the Deputy Collector of Customs at Kurrachee, I am of opinion that his salary should be fixed in accordance with the suggestions made by Mr. Frere and now marginally quoted, and in view to rendering the authority of the Commissioner of Shikarpoor complete along the right bank of the river, the Deputy Collector of Customs should be considered as subordinate to that Commissioner.

Vide paras. 11, 12 and 72, clause 4 of letter No 562, dated 31st December 1855, recommending that the Deputy Collector of Customs be allowed an increase of Rupees 300 to his salary after 3 years approved service, making in all Rupees 800.

22. As regards the Police I would recommend that there be appointed one Superintendent of Police in Scinde, and two Captains of Police—one for each division of the province.

23. The Captains of Police to be under the orders of the Commissioners with regard to all local matters, having reference to proceedings in their respective divisions only, and subject to the control of the Superintendent of Police as regards the discipline, internal construction and organization of the Police establishment and with respect to all other matters relating to the province generally and irrespective of the affairs of their particular divisions.

24. The existing Native Adjutancy, which seems to me to be at present even an anomaly, should be abolished. No such officer as a Native Adjutant of Police can be required under the proposed arrangements. The Captains of Police being held responsible to the Superintendent of Police for the due performance of all Police duties within their divisions and being the sole channel of communication between their subordinates and the Provincial Superintendent.

25. The salaries of the European officers of Police should be as proposed by Mr Frere in his letter now quoted; but the abolition of the Native Adjutancy and of one Lieutenancy of Police would effect a considerable saving in this department.

Paras. 14, 15, 16, 17 and 72, Clause 5 of letter No. 562, dated 31st December 1855
Superintendent of Police, Rupees 1000
Captain of Police, " 700

APPENDIX No. 623

Officers in Scinde.

26. It is, however, certainly necessary that the strength of the Police in Scinde should be largely increased as already fully detailed in the correspondence noted in the margin.

In the Judicial Department Mr. Frere's letter No. 4 of 15th January 1856, and subsequent correspondence.

27. This increase of the Police would effect a very large saving of expense by enabling the far more costly regular troops and provincial battalions to be relieved of Civil duties, thus rendering their services available for Military duties generally, or if not required for employment elsewhere enabling such troops to be disbanded.

28. The Public Works department forms another most important consideration. Experience shows that there should be an Executive Civil Engineer for each division, with one assistant for each subdivision or district, under the orders of the Commissioners, and the whole under the departmental control of one Superintending Engineer for the province.

29. Subordinate European executive establishment should also be allowed for each Executive Civil Engineer of sufficient strength to ensure the proper performance of current work, independently of the local native agency of Kardars, &c. (the employment of which in Public Works has been found to be the cause of so much fraud) and to provide for those casualties and emergencies which are of such frequent occurrence in this province, and which, if not foreseen and provided for, entail such heavy loss on the state.

30. I have not deemed it necessary to specify any particular rates of salary for the officers of the Public Works department above referred to, for I consider that these suggestions should be made in communication with the Superintending Engineer, a reference to whom, on the present occasion, would detain this letter which Government desire to receive with the least practicable delay. But in regard of the agency which I have suggested for the Fiscal and Police administration of the proposed divisions, I beg respectfully to state that I have limited myself to what, after the best consideration I am enabled to bestow on the subject, seems to me to be the amount and description of European agency absolutely necessary efficiently to conduct these duties, in accordance with the system contemplated by the Hon'ble Court. I am not, however, the less of opinion that unless in addition to the officers required to conduct the current duties of this province, there be a proportion of junior servants acquainting themselves with the details of Revenue and Magisterial work, and thus becoming gradually competent to conduct the duties of their superiors, there must always, in a climate like that of Scinde, be a liability to deficiencies occurring in the European agency,

and experience has amply shown that defects of the description now anticipated are very difficult of remedy, perplex those who have to remedy them, overtask those by whose temporary agency the defects are supplied, and are detrimental at once to the interests of the people and of Government.

31. And I beg most respectfully to record my matured and decided opinion that, whatever agency may be ultimately selected to conduct the Revenue, Magisterial and Police duties of Scinde, the numbers and salaries of the officers subordinate to the chiefs of divisions (assuming the province to be divided as set forth) cannot, without injury to the efficiency of the administration and consequent loss to the state, be fixed on a lower scale than that which I have suggested in this letter, and I would further leave on record that, in my opinion, such provision in the form of additional and junior agency, should be made for casualties as a review of the statistics of past years may show to be really necessary.

32. In view to showing at a glance what would be the general results of the proposed arrangements, I have the honor to append a statement exhibiting the official designations and salaries of the officers who would control and the revenues and areas of the districts to be controlled. The revenues entered are those for the year 1854-55. The revenues of Scinde should never for the future be less than they were in that year. It is probable they will increase to an aggregate figure considerably in excess of that shown for 1854-55. It is remarkable that the revenues to be collected from either Commissionership are nearly equal. No mention is made of Sea Customs in the statement.

I have the honor to be, &c.,

JOHN JACOB, *Lieut.-Col.,*

Acting Commissioner in Scinde.

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GENERAL STATEMENT showing Official designations, Revenues, and Areas, as they would stand under the proposed arrangement of dividing the entire Province into Commissionerships.

Commissioners.	Deputy Commissioners.	Assistant Commissioners.	Talookas.	Gross Land Revenue of each Talooka, 1854-55.	Total for the Deputy Commissionerates.	Total for the Commissionerates.	Approximate Area of the Deputy Commissionerates in square miles.	Remarks.
Upper Scinde ...	1st Class. 1. Kurrachee ...	1. Kotree ...	1. Kurrachee	3,096 0 11	2,72,578 1 0	... ...	8,500	
			2. Ghorabarce	1,17,690 13 11				
			3. Sakra	38,885 8 9				
			4. Tatta	49,420 4 9				
			5. Kotree	22,894 1 0				
			6. Mahjunda	40,591 3 8				
	2nd Class. 2. Larkhana ...	2. Mehur ...	7. Johee	1,12,017 5 8	8,73,883 4 0	... ...	5,500	
			8. Schwan	1,66,373 12 2				
			9. Mehur	1,64,493 13 9				
			10. Kukkur	64,697 9 2				
			11. Tige	54,419 13 2				
			12. Larkhana	1,36,621 5 8				
			13. Nusserabad	52,538 6 0				
			14. Kumber	62,529 10 4				
			15. Rutta Dera	60,191 8 1				
	3rd Class. 3. Sukkur and Roree ...	3. Roree ...	16. Nowshera	52,076 10 6	6,02,832 6 11	... ...	5,500	
			17. Shikarpoor	1,27,021 3 9				
			18. Sukkur	57,582 1 7				
			19. Roree	91,600 3 5				
			20. Gotekee	1,04,658 9 7				
			21. Meerpoor	91,380 14 3				
			22. Oobowra	78,512 11 10				
						17,49,293 11 11		
			Sayer Revenue, exclusive of Customs, about...			2,20,000 0 0		
					Total ...	19,69,293 11 11	19,500	
Lower Scinde ...	1st Class. 1. Omerkote ...	1. Meerpore ...	1. Omerkote	16,118 0 3	2,82,323 7 4	... ...	9,500	
			2. Nara	55,596 15 6				
			3. Meerpore	27,643 3 3				
			4. Alyarka Tanda	95,596 0 0				
			5. Joodah	63,667 15 8				
			6. Deeplah	2,591 13 8				
			7. Mittee	4,919 12 3				
			8. Nuggur	16,109 10 9				
	2nd Class. 2. Halla & Nowshera.	2. Taroosha ...	9. Nowshera	2,74,107 15 2	6,61,357 1 7	... ...	6,500	
			10. Mora	98,290 3 9				
			11. Sukkurund	74,515 11 9				
			12. Halla	1,20,227 3 8				
			13. Shahdadpoor	94,215 15 3				
	3rd Class. 3. Shahbunder ...	3. Mohmed Khan's Tanda ...	14. Shahbunder	1,09,251 15 0	6,92,092 5 2	... ...	6,500	
			15. Meerpoor	73,627 6 11				
			16. Jatee	77,067 3 9				
			17. Mohbut Dera	61,139 9 5				
			18. Bagaku Tanda	94,012 8 3				
			19. Budeena	1,38,850 13 5				
			20. Goonee	1,37,242 12 5				
			21. Doaba	74,326 8 11	74,326 8 11	... ...	500	
						17,10,099 7 0		
			Sayer Revenue about ...			1,25,000 0 0		
					Total ...	18,35,099 7 0	23,000	
			Grand Total for the two Commissionerates ...			38,04,393 2 11	42,500	This area is much below the total area of the Province.

N. B.—The Frontier Districts have been excluded from this Statement.

JOHN JACOB, *Lieut.-Col.,*
Acting Commissioner in Scinde.

APPENDIX No. 623

Officers in Scinde.

***MEMORANDUM** by the Commissioner in Scinde, dated 30th April 1857, on the Officiating Commissioner's Letter No. 482, of 20th December 1856, regarding the division of Scinde into two Commissionerships and a reorganization of establishments.*

Colonel Jacob's scheme for re-organizing establishments in Scinde is not based on the scale of salaries sanctioned by the Court of Directors in their despatch No. 68, of the 6th August last, further than that it contemplates the partition of Scinde into 2, instead of 3, divisions as at present. No copy of that despatch seems to have been sent to the Officiating Commissioner, and he was consequently not aware of its detailed provisions. But as I understand that the scale of salaries embodied in the Court's despatch was the utmost which the Board of Control would permit the Court to sanction, and that it is quite imperative to give a trial to the system of management prescribed in the despatch, down to its minuter details, it seems useless to discuss any other, and it only remains to consider the best mode of giving the scheme the greatest possible chance of success.

I would suggest that, in the first place, a copy of the despatch be sent to the Commissioner in Scinde with instructions to submit a report on the best mode of giving effect to the Court's views.

Whether the province should be divided by a line east and west, or by the line of the river as suggested by Colonel Jacob is, I think, a matter of comparatively little moment. For either way, each charge will be of such size as to render it necessary to adopt arrangements very different from those in force in our older provinces. There is much force in the reasons assigned by Colonel Jacob for the division proposed by him; but on this point, as well as on the mode in which the officers now employed in Scinde should be distributed, under the new arrangement, I should be glad to be allowed to reserve my opinion, till my return to Scinde enables me to learn better than is possible in Bombay, who of the officers now employed are likely to be available under the new arrangements.

If I could get early instructions to carry out the orders contained in the Court's despatch, any new arrangements might have effect from the commencement of the financial year 1857-58.

(Signed) H. B. E. FRERE,

Commissioner in Scinde.

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APPENDIX No. 623

Officers in Scinde.

No. 534 of 1857.

TERRITORIAL DEPARTMENT, FINANCE.

To

H. B. E. FRERE, ESQUIRE,

Commissioner in Scinde.

Bombay Castle, 9th May 1857.

SIR,

WITH reference to previous correspondence ending with your memo. of the 30th Ultimo, I am directed to forward to you the accompanying copy of Extract from the Proceedings of the Right Hon'ble the Governor General of India in Council, in the Financial department, under date the 24th October 1856 (No. 4738), and to request that you will have the goodness to submit, at your earliest convenience, a report on the best mode of giving effect to the views of the Hon'ble Court and the Government of India.

I have the honor to be, &c.,

J. D. INVERARITY,

Acting Chief Secretary to Government.

APPENDIX No. 624

Officers in Scinde.

No. 226.

MEMORANDUM BY MAJOR T. J. GOLDSMID, ASSISTANT COMMISSIONER FOR JAGHEERS IN SCINDE, DATED CAMP ALLAYARKA TANDA, 19TH DECEMBER 1857.

THE settlement of Jageers in Scinde is so far different from a similar question in the older provinces, that, whereas from day to day insufficient titles are brought to light, and resumptions ordered in an Indian Inam Commission, the greater part of the Scinde alienations, indeed, almost all the larger tenures, have been more or less under investigation or report since the conquest.

2. From 1843, the year of the conquest, until 1853, this work was carried on by the three Collectors and their Deputies. Among these officers, Captain Stack, Deputy Collector of Hydrabad, may be said to have been the only one who mastered the details to that extent as to be able to declare the actual shares of shareholders in every case where Sunnuds, or Pay Tables threw the requisite light upon the matter of investigation. The few records which he has left in his own handwriting are invaluable, as furnishing the clue to original tenure in very many instances, where it would now be most difficult to come to any other than a presumptive conclusion.

3. The lapses during these ten years amounted to 810,254* beegahs up to 1849; and from 1850 to 1852, Rs. 12,654 in the Hydrabad Collectorate; Rs. 962-8-0 for 1852 in the Kurrachee Collectorate, and Rs. 40-0-0 for 1852 in the Shikarpore Collectorate.

* According to Captain Stack's Computation Rupees 1,14,061.

There is no record obtainable of resumptions prior to 1852 in the two last named Collectorates.

A rough estimate will be prepared.

4. In January 1853, Captain Stack was appointed an Assistant Commissioner for jagheer enquiries in Scinde. But it may be observed that, in creating this appointment and an establishment in connection therewith, the measure was as much perhaps one of justice to the jagheerdar as to protect the interests of Government. The object was not so much a resumption of land from present incumbents, as to lay down a system of classification, which would provide for future lapses, while on the one hand great stress was laid on a superabundance of waste land in the hands of jagheerdars.

This waste land could not be supposed of any present value to Government even if out of alienation. On the other hand, it was found, that it had been by no means unusual to resume land after a wholesale manner, which has been since ruled to be arbitrary and inexpedient.

5. The lamented death of Captain Stack in November 1853, caused a temporary transfer of the jagheer department to Mr. B. H. Ellis, who handed over his charge to Captain Goldsmid, on his joining the Commissioner's Camp in January 1854. The latter officer had been deputed to act in the vacant appointment, and took up the thread of enquiry as received.

6. Captain Goldsmid having left Scinde to proceed on sick certificate to Europe, in March 1855, the 2nd Assistant Commissioner, Captain Pelly, who had joined the department two months previously, remained in sole charge of the Scinde jagheer enquiry. This officer on the 16th October 1856, reported that he had concluded " the entire enquiry into jagheer tenures in Scinde."

7. Major Goldsmid had returned to Bombay on the 7th of the same month, and was directed to return to Scinde and resume his appointment. But the Acting Commissioner considered that it would be more beneficial to the public service were that officer to conduct the duties of Judicial Deputy Magistrate at Shikarpore, and he was directed to proceed thither accordingly, after a re-incumbency of the jagheer office for somewhat less than three weeks. On the 8th June 1857, Major Goldsmid returned to the appointment, which may be said to have been in abeyance during his absence at Shikarpore, the work having become for that period, part of the Commissioner's office.

8. But neither the investigations of Captains Stack, Goldsmid or Pelly brought to light any other than very ordinary cases of illegal or fraudulent tenure. They may be said, however, to have organized a system which will eventually produce its financial as well as political results. And though it may be anticipated that the latter will be the more important of the two, there will not be wanting, in all probability, a considerable balance in favor of Government, when a new generation shall have taken the place of present holders of alienation.

9. Captain Pelly having completed a summary and classification of all jagheers in Scinde, coming under ordinary rules of lapse and re-grant, upon the basis of his own settlements and those of his predecessors, his work may be said to form, as it were, one large index to these tenures. But there are three bars to closing the enquiry : *1st.*—The settlements are all open to appeal ; *Secondly.*—The whole question awaits the sanction of Government ; *Thirdly.*—It has not yet been decided what exact benefits

are to be accorded to the Sirdars or permanent jagheerdars, nor has it been decided who are to be the members of this class.

10. To make the last paragraph intelligible, it may be briefly stated that the Scinde alienations are divided into four classes: 1st.—The permanent and untouched hereditary jagheers; 2nd.—The permanent jagheers subject to part resumptions or assessment; 3rd.—The jagheers re-grantable for one generation succeeding present incumbents; 4th.—The life grants to present incumbents. The first of these have long since, as a general rule, been defined; but the recent settlements may be said to have comprehended the 3rd and 4th only, for from these will the 2nd class have to be selected, each selection resting on its individual merits.

Total of 1st Class Tenures 2,96,718 Beegahs.

11. Abstracts of settlements for 3rd and 4th class jagheers, limiting appeals to two months, are now in course of distribution. But a careful revision of each case before delivery has been found advisable, and it has been ruled that the Assistant Commissioner should explain, so far as practicable, to every jagheerdar the particulars of his case, causing these abstracts to be given over in his own presence. On this account some little delay will naturally occur. Still the work is fast progressing.

12. The enquiry into the rights of individuals to be classed as Sirdars, is in a forward state, and will, it is hoped, be completed soon after the expiration of the present annual tour.

This comprises a detail of tenure and settlement for the four great Talpoor families holding now no less than 15,31,862 beegahs. Excepting these, it may be roughly estimated, that there will be 150 Chiefs in the 2nd class for whom 1,000 beegahs each may be considered to cover all claims.

13. Should Government reply favorably to the questions before them within the next three months, the Assistant Commissioner trusts to submit the reduction as per margin, to take effect from the 1st July 1857. Should they delay a decision, any reduction must be considered temporary, as it is impossible to say what additional work may be given to the establishment by new instructions. It may be noted, however, that the amount of Rs. 1,200 is nearly treble the average expense for the current year.

From Present monthly amount of Assistant Commissioner, including Military Pay and permanent Travelling Allowance.	Rs. ..	1,000 0 0
Establishment not exceeding „	..	1,200 0 0
To		
Assistant Commissioner ..	Rs. ..	750 0 0
Establishment	„ ...	392 0 0

As recommended by Brigadier General Jacob.

14. The amount of land resumed by, and of disbursements made to the nearly organized Scinde jagheer establishment from 1853 to 1856, exclusive of batta and expenses incurred on account of Dead Stock, is furnished

in the following contrasted table. Waste Land has been estimated at no more than 2 annas per jareeb.

Disbursements.			Resumptions.				
Year.	Amount.	Total.	Year.	Land. Beegahs.	Land. Amount.	Lapses.	Total.
1853	8,502 8 0	73,736 4 4	1853	62,658	7,832 4 0	9,703 5 0	17,535 9 0
1854	17,078 6 1		1854	11,305	1,413 2 0	13,081 4 1	14,494 6 1
1855	25,371 10 8		1855	470	58 12 0	12,458 9 10	12,517 5 10
1856	22,783 11 7		1856	645	80 10 0	8,434 4 2	8,514 14 2
						Total Resumptions	53,062 3 1
						Total Disbursements	73,736 4 4
						Expended in excess of Resumptions .. .. Rs.	20,674 1 3

T. J. GOLDSMID, *Major,*
Asst. Commr. for Jagheers in Scinde.

APPENDIX No. 625

Officers in Scinde.

No. 629.

TERRITORIAL DEPARTMENT, REVENUE.

To

H. RICKETTS, ESQUIRE,

Commissioner for the revision of Civil salaries and establishments throughout India.

Bombay Castle, 17*th February* 1858.

SIR,

I AM directed to forward to you copy of the papers noted in the margin, relative to an application for increased salary, made by Mr. P. M. Dalzell, Deputy Collector of Customs at Kurrachee.

Letter from the Commissionor in Scinde, No. 304, dated the 24th November 1857.
Memorandum prepared in this Office Government Resolution No. 5293, dated the 18th December 1857.
Letter from Mr. Dalzell, Deputy Collector of Customs Kurrachee, dated the 4th February 1858.

2. Although the sanction granted for the increase of Mr. Dalzell's salary by the Hon'ble Court formed a part of a general scheme for the reorganization of the Civil establishments of Scinde, which has not as yet been acted on, there are many considerations, I am desired to observe, which may be adduced in Mr. Dalzell's favor. 1*st*.—He is a meritorious and zealous officer. 2*nd*.—He left a more highly remunerated appointment under the Commissioner of Customs in Bombay, on the understanding that his salary would be increased. 3*rd*.—He has been in the performance of very responsible duties as the head of the Customs department in Scinde, and has, in addition, performed important duties as a Magistrate. 4*th*. The Hon'ble Court have virtually admitted that he is underpaid for the services he performs, when they sanctioned an increase to his salary as a part of a scheme of general retrenchment.

3. These reasons I am to state, are considered by His Lordship in Council quite sufficient to justify the increase of Mr. Dalzell's salary; but as all the Scinde salaries are now under revision by you, I am desired to forward Mr. Dalzell's representation for your consideration.

I have the honor to be,

SIR,

Your most obedient Servant,

H. YOUNG,

Chief Secretary to Government.

R

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APPENDIX No. 625

Officers in Scinde.

No. 304 of 1857.

REVENUE DEPARTMENT.

FROM

H. B. E. FRERE, ESQUIRE,

Commissioner in Scinde,

To

THE RIGHT HON'BLE LORD ELPHINSTONE, G.C.H.,

Governor and President in Council,

BOMBAY.

Dated Camp Rookun, 24th November 1857.

MY LORD,

Referred to and embodied in the Resolution of the Government of India, forwarded with Government Letter No 4953, dated 18th December 1856.

The Court of Directors in their despatch No. 68, dated 6th August 1856, having sanctioned an increase of the salary of the Deputy Collector of Customs at Kurrachee, from Rs. (500) five hundred (at which sum it was fixed from the 1st October 1855, under the operation of the orders of the Government of India, communicated with the letter marginally noted) to Rs. (750) seven hundred and fifty, with a further increase to Rs. (1,000) one thousand after three years' further service, I have the honor to request that your Lordship in Council will pass the enclosed abstracts preferred by Mr. Dalzell for arrears of increased pay, at the rate of Rs. (750) seven hundred and fifty per mensem, from the 6th August 1856, the date of the Court's despatch.

Government to Commissioner in Scinde, No. 4292, dated 6th October 1857.

I have the honor to be, &c.,

H. B. E. FRERE,

Commissioner in Scinde.

MEMORANDUM by the Chief Secretary to the Government of Bombay.

In a despatch tot he Government of India No. 68, dated the 6th August 1856, the Hon'ble the Court of Directors confirmed, with certain modifications, the orders which had been given by the Supreme Government for fixing the salaries of officers in Scinde according to the Punjaub scale.

APPENDIX No. 625

Officers in Scinde.

2. The Hon'ble Court desired, among other measures, that on the resignation of Mr. Frere, the salary of the Commissioner in Scinde should be reduced from Rs. 4,333-5-4 to Rs. 3,500 per mensem, and that the province should be divided into two districts, *viz.* the *Upper* and *Lower* Scinde, and that, instead of three Collectors and Magistrates on Rs. 1,500 each per mensem, there should be two Commissioners (with suitable establishments) one for Upper, and one for Lower Scinde, on Rs. 2,250 each.

Government Resolution No. 1061, dated 6th December 1856.

3. On receipt of the Resolution from the Government of India, communicating the purport of the above despatch, the Acting Commissioner in Scinde was informed that it was in contemplation, under instructions from the Hon'ble Court, to divide the province of Scinde into two districts, and requested to submit his report as to the most convenient boundary to be fixed between the proposed districts of Upper and Lower Scinde and as to the establishments which would be required by the two Commissioners to be appointed to those districts, and extracts of such portions from the Supreme Government's letter as were to be considered in the Judicial, Military, Marine and Public Works departments, were transferred to those departments for that purpose, with a request that the result might be communicated to the Financial department for final report to the Government of India, who had called for information from this Government on several of the points treated of in the Court's despatch.

4. Colonel Jacob replied to the reference mentioned in the above para. in a letter No. 482, dated the 20th December 1856, the disposal of which Government reserved until the arrival of Mr. Frere from England, whose opinion, it was directed, should then be taken on the measures proposed by Colonel Jacob.

5. Mr. Frere was accordingly, on his arrival in Bombay, consulted, and in a communication dated the 30th April 1857, he remarked that Colonel Jacob's scheme for re-organizing establishments in Scinde was not based on the scale of salaries sanctioned by the Hon'ble Court in their despatch No. 68, dated the 6th August 1856, further than that it contemplated the partition of Scinde into two instead of three divisions, and, after certain further observations, he suggested that in the first place a copy of that despatch be sent to him (Mr. Frere) in Scinde, with instructions to submit a report on the best mode of giving effect to the Hon'ble Court's views.

6. A copy of the communication from the Government of India conveying the orders of the Hon'ble Court, and calling for information on

several of the points noticed by them, was under, dated the 9th May 1857, No. 534, furnished to Mr. Frere, and he was requested to submit a report on the best mode of giving effect to the views of those authorities.

7. Mr. Frere's report has not yet been received.*

8. Among other instructions contained in the Hon'ble Court's despatch above referred to, it was directed that the Deputy Collector of Customs, instead of receiving Rs. 500, should be allowed Rs. 750, and after three years' further service Rs. 1,000 per mensem. The report which has been called for by the Government of India consequent on the Hon'ble Court's orders does not affect this subject.

9. With his present letter, Mr. Frere requests that Government will pass the abstracts, which are submitted by him for arrears of increased pay at the rate of Rs. 750 per mensem to Mr. Dalzell, the Deputy Collector of Customs in Scinde, from the 6th August 1856, the date of the Hon'ble Court's despatch.

H. YOUNG,
Chief Secretary to Government.

No. 5293 of 1857.

TERRITORIAL DEPARTMENT, REVENUE.

Dated Bombay Castle, 18th December 1857.

Resolution.

The increase to the salary of the Deputy Collector of Customs formed a part of a scheme for the re-organization of the Civil establishments in Scinde, which has not as yet been carried into effect. As that scheme involved a great reduction of expenditure in other departments, it would hardly be justifiable to adopt it in the only clause which contemplates an increase of salary, while it is held inoperative in all its other clauses.

28. Besides the revision of the Scinde establishments having now been made over to Mr. Ricketts, it would be expedient to await his opinion before sanctioning any alteration of present salaries.

(Signed) H. YOUNG,
Chief Secretary to Government.

* A call was, on the 14th November 1857, made on Mr. Frere to expedite the transmission of his report.

APPENDIX No. 625

Officers in Scinde.

FROM

P. M. DALZELL, ESQUIRE,

Deputy Collector of Customs, Kurrachee,

To

HENRY YOUNG, ESQUIRE,

Chief Secretary to Government.

Bombay, 4th February 1858.

SIR,

WITH reference to the Government resolution No. 5293, dated 18th December 1857, on a letter from the Commissioner in Scinde, as per margin, submitting for sanction an abstract preferred by me for arrears of increased pay from Rs. 500 to Rs. 750 per mensem from 6th August 1856, under instructions contained in a despatch from the Hon'ble the Court of Directors of that date, I would most respectfully solicit a re-consideration of that resolution, on the ground, *first*,—that the increase of pay granted by the Court is positive and unqualified, irrespective of reductions in other departments, and sanctioned, I would respectfully suggest, on the principle, that a person holding the responsible position of Deputy Collector of Customs* and Harbour Magistrate at Kurrachee, was insufficiently remunerated with Rs. 500 per mensem, and *secondly*,—because I accepted the appointment four years ago, on the understanding that the pay of the office had been, or would soon be, considerably increased, relinquishing in accepting it one better paid though subordinate.

No. 304, dated the 24th November 1857.

* Virtually Collector of Customs.

2. My memorial to the Court of Directors, now in the hands of the Hon'ble the Governor, which I submitted to his Lordship a few days ago, through his Lordship's Private Secretary, will explain the hardships of my case, so that I need not here enlarge upon them.

3. As I am anxious to proceed to Kurrachee, from whence I propose to take my departure for Europe, on sick certificate, may I beg the favor of your acquainting me with the decision of Government at your early convenience.

I have the honor to be, &c.,

P. M. DALZELL,

Deputy Collector of Customs, Kurrachee.

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Saugor and Nerbudda Territories.

No. 1470.

To

H. RICKETTS, Esquire,

Commissioner for the revision of Civil Salaries and Establishments throughout India.

FINANCIAL DEPARTMENT.

Sir,

In October 1846, it was proposed to the Honorable the Court of Directors to increase the salaries of the Deputy Commissioners in the Saugor and Nerbudda Territories. In August 1847, and subsequently in February 1850, the Honorable Court, in noticing this recommendation, observed that before passing a decision in respect to it, they must have before them the whole case of the several classes of officers under the Bengal Presidency performing similar duties, and of somewhat similar rank.

2. The information here required was called for from the Government of Bengal under dates the 21st October 1847, 16th May 1848, and 4th August 1849; but it has not as yet been supplied. Under orders from the Foreign Department, dated the 1st December 1852, the administration of the Saugor and Nerbudda Territories was transferred to the Lieutenant Governor of the North Western Provinces; and at the time of this transfer there were fourteen District officers, or Deputy Commissioners, attached to the Territories, whose salaries were arranged, until the receipt of final orders from the Honorable Court, at an aggregate cost of Rupees 9,500 per month.

4	Deputy Commissioners	of the 1st Class at	Rupees	1,000	each	4,000
5	Do.	of the 2nd Class at	„	600	„	3,000
5	Do.	of the 3rd Class at	„	500	„	2,500
				Rupees....		9,500

3. The scale thus allowed, with a few trifling changes, is still the existing scale, and the Lieutenant Governor of the North Western Provinces proposes now, with reference to it, a readjustment of the salaries of the several district officers. He considers that they are very inadequately paid for the labour and responsibility attaching to their respective Civil charges, as exhibited from the annual statement of revenues quoted in the margin, and with reference to the salaries allowed in the Punjab and Nagpore Territories, and by recent arrangements in Oude; and observes that as the spirit, efficiency and success for which he is responsible in the administration of the Saugor Division must be seriously affected in consequence, it will be desirable to introduce in it the Punjab and Nagpore scales, a measure which will result in an additional charge to the state, to the extent given below:—

Jaloun	13,75,000
Saugor	11,00,000
Jhansi	11,00,000
Jubbulpore	5,60,000
Hoshungabad	4,10,000
Nursingpore	3,90,000
Dumoh	3,50,000
Baitool	1,90,000
Seonee	1,80,000
Chundeyree	1,60,000
Mundla	43,000

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Existing Scale.		Proposed Scale.	
1 Superintendent .. .. Rupees	1,500	1 Superintendent .. .. Rupees	2,000
6 District officers at Rs. 1,000 each at Jaloun, Jhansi, Saugor, Jubbulpore, Nursingpore, and Hoshungabad.	6,000	3 District officers at Rs. 1,500 each at Jaloun, Jhansi, and Saugor	4,500
5 Do. at Rs. 600 each at Dumoh, Chundeyree, Seonee, Baitool, and Mundla	3,000	1 Do. at Jubbulpore	1,200
Rupees. . . .	10,500	3 Do. at Rs. 1,000 each at Hoshungabad, Nursingpore & Dumoh	3,000
		4 Do. at Rs. 700 each at Baitool, Seonee, Chundeyree and Mundla	2,800
		Rupees.	13,500
		Deduct Existing scale.	10,500
		Increase per month Rupees. .	3,000

4. The Right Honorable the Governor General in Council has declined to pass any orders on the above application in anticipation of your views in respect to it. I am desired therefore to transmit to you copies of the papers on the subject noted as per margin,* and to request that, among other matters to which your attention will be directed, you will institute a particular enquiry regarding the salaries of the officers in the Saugor and Nerbudda Territories.

I have the honor to be,
Sir,
Your most obedient servant,
C. HUGH LUSHINGTON,
Secretary to the Government of India.

Council Chamber,
the 28th March, 1856.

* Financial. Letters from Court, No. 8 of 1850 of the 27th February.
Financial. Resolution No. 793 of the 7th June, 1850.
Extract Foreign Department, No. 1752, dated 15th April, 1853.
Letters from Secretary North Western Provinces, No. 2018 A, dated 14th September 1855, No. 1334, dated 23rd February, 1856.

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FINANCIAL DEPARTMENT.

No. 8 *of* 1850.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

Extract Narrative of Judicial (Criminal) Proceedings for the 2nd Quarter of 1849, *No.* 31, *dated 7th September* 1849.

Paragraphs 1 *to* 3. *Submit a letter from the Agent in Bundlecund, preferring the claims of the Deputy Commissioners employed in the Saugor and Nerbudda Territories to a higher rate of remuneration than they enjoy at present.*

1. Before we can decide with respect to the salaries drawn by the Deputy Commissioners in the Saugor and Nerbudda Territories, we must be in possession of the information requested in our despatch to you in this Department, dated the 11th August 1847, No. 31. The expression in your present letter, "That the subject being "referred for the consideration of the Honorable "the Court of Directors, could not be entertained "by the Governor General," would seem to imply that you have not received that Despatch, wherein we stated, that before passing a decision upon your recommendation in favor of the Deputy Commissioners, "we must have before us the whole case of the several classes of officers "under your Presidency performing nearly similar duties, and of somewhat similar rank, though "bearing different designations."

2. Under present circumstances, however, we would not wish you to encourage hopes of additional allowances being granted to this class of servants.

We are, &c.

(Signed) A. GALLOWAY,
(„) JOHN SHEPHERD,
AND
ELEVEN OTHERS.

LONDON,
27th February, 1850.

(A true Copy)
C. HUGH LUSHINGTON,
Secretary to the Government of India.

No. 793.

FORT WILLIAM,

FINANCIAL DEPARTMENT,

The 7th June 1850.

Read a Despatch from the Honorable the Court of Directors, No. 8 of 1850, dated the 27th February, referring to the Extract from the Narrative of the Judicial, (Criminal) Proceedings in the Foreign Department for the 2nd Quarter of 1849, regarding the claims of the Deputy Commissioners employed in the Saugor and Nerbudda Territories to a higher rate of remuneration

than they at present enjoy, and observing that before deciding thereon, they must be furnished with the information required in their Despatch in this Department, dated 11th August 1847, No. 31, with a remark that, under present circumstances, hopes of additional allowance had better not be held out to this class of servants.

Read also a Letter No. 6, dated the 17th ultimo, from the Secretary to the Government of India, with the Most Noble the Governor General, requesting that the President in Council will cause an early compliance with the request of the Honorable Court as contained in paragraph 1 of the above Despatch.

RESOLUTION.

The President in Council observes by a Resolution of the Government of Bengal, dated 16th August 1836, the grade of Head Assistant to Collectors and Magistrates, upon a salary of 8,400 Rupees per annum, was abolished, and in its stead was constituted the lower grade of Joint Magistrates and Deputy Collectors of the 2nd grade upon the same salary, viz. 700 Rupees per month.

A proposal from the Government of Bengal for extending the number of Joint Magistrates and Deputy Collectors of the 2nd grade from 13 to 32, on the ground of increase of business, and especially the pressure of Settlement duties, was submitted to the Honorable Court in a Letter from this Department No. 12, dated 9th June 1841, paragraph 23. The Honorable Court in their reply, dated 16th November 1842, No. 23, paragraphs 6 and 7, before sanctioning the proposal, desired the Government of India to give full consideration to the whole subject, and report their opinion to the Court; and they enquired whether the rate of salary to Joint Magistrates and Deputy Collectors of the 2nd grade, might not be reduced.

A copy of the above two paragraphs was communicated by this Department to the Government of Bengal, on the 15th February 1843, in order to ascertain its sentiments on the subject.

In reply to a Judicial Letter from the Home Department, dated 14th June 1843, No. 6, relating to the salaries of separate Magistrates, and suggesting a modification of the orders on the subject contained in the Honorable Court's Despatch of 16th November 1842, No. 23, so far as to concede to Magistrates, at certain specified stations, and under certain circumstances, a salary of 1,200 Rupees per mensem, The Honorable Court in their Despatch No. 9, dated 31st May 1844, remarked that this Government had not even alluded to their request to be furnished with its sentiments upon a careful reconsideration of the whole subject of the office of *Joint* Magistrate and Deputy Collector, the mode of executing its duties, and the salary that should be assigned to it if filled by a Covenanted servant; and they stated that they were averse finally to decide the question of the administration of the Magisterial Office lately filled by the Collectors of the Bengal Presidency on a partial view, or to accede to the grant of higher salaries in special cases until informed what was likely to be the entire charge of the two numerous classes of functionaries thus newly created.

A copy of this Despatch was sent, on the 26th July 1844, to the Government of Bengal, in order that the information called for in the 6th and 7th paragraphs of the Honorable Court's Despatch No. 23, of 16th November 1842, might be communicated to this Government, with the view to the consideration of the subject being resumed in pursuance of the desire expressed by the Honorable Court in their despatch of 16th November 1842, and to enable the Government of India to furnish the information again called for by the Honorable Court.

The Government of Bengal in reply observed, "when your two separate communications "on this subject, of date respectively 25th January and 15th February 1843, were before the "Government, the one transmitting paragraph 3* of the Honorable Court's Despatch of 16th "November, No. 23 of 1842, and the other paragraphs 6 and 7† of the same Despatch, the con-

*On the office of Separate Magistrates. †On the office of Joint Magistrates and Deputy Collectors of the 2nd Grade.

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"nection of the two was overlooked, and the one was inadvertently left unnoticed, while the "other, which had attracted more immediate attention, was replied to at length. His Honor "regrets that this circumstance should have happened so as to delay the decision of the Honor-"able Court on the question before them."

2. "With regard to the question now presented, His Honor directs me to say that the state of things has so much altered by the diminution of the demand for Deputy Collectors and Joint Magistrates formerly required for settlement and Khas Mehal duties, that the number has been already reduced from 13 to 11, and it is proposed still further to reduce them as vacancies occur, in order to provide the means of creating new magistracies where they have been shewn to be required. It need, therefore, hardly be added that the Deputy Governor has nothing to urge towards any increase of this class of officers."

The Honorable Court, in their despatch No. 22 of 1846, dated the 19th August, paragraph 108, remarked :—"Of this grade of functionaries* you stated in your Letter in this Department of 30th August 1844, in reply to our requisition for a report on the new Judicial Offices, that you had diminished the number from 13 to 11, and were about to reduce them further as vacancies should occur; and on that ground, (which was obviously an insufficient one,) you omitted all reply to our requisition for information respecting the office; but in your letter in the Judicial Department of 15th February 1855, you signified that the number of these officers, which had fallen to *seven*, had been increased to *eleven* by new appointments, still without previous reference to us for our sanction."

The Court, therefore, in paragraph 115 of the same Despatch, called for a full report on the subject of the Judicial Offices to be submitted without further delay.

Paragraph 115 was communicated to the Government of Bengal with Letter from this Department No. 1604, dated 6th August 1847.

In answering a Letter from the Governor General in the Foreign Department Judicial, dated 22nd October 1846, No. 1, recommending increase to the salaries of the Deputy Commissioners in the Saugor and Nerbudda Territories, the Honorable Court more clearly explain what they require in the paragraph of their Despatch No. 31 of 1847, dated 11th August, which runs as follows :—

Paragraph 2. "We have given particular consideration to your recommendation; but before "we can arrive at any decision upon it, we must have before us the whole case of the several "classes of officers under your Presidency performing nearly similar duties, and of somewhat "similar rank, (though bearing different designations,) respecting some of whom we have again "called upon you to answer our former enquiries in our letter in this Department, dated 19th "August 1846, paragraphs 104 to 115."

This Despatch was forwarded to the Bengal Government with a Letter from this Department No. 1872, dated 21st October 1847, but no reply has yet been received, although the attention of that Government was directed to the subject on the dates noted in the margin.†

The Honorable Court have again, in their Despatch No. 8 of 1850,‡ dated 27th February, stated that they must be in possession of the information called for in their despatch No. 31, dated the 11th August 1847, before they can decide with respect to the salaries drawn by the Deputy Commissioners in the Saugor and Nerbudda Territories; though they add, "under present "circumstances, however, we would not wish you to encourage hopes of additional allowances "being granted to this class of servants;" and the Governor General, in a Letter dated the 17th ultimo, requests that the President in Council will cause an early compliance with the requisition of the Honorable Court.

*i. e. Deputy Collectors and Joint Magistrates.

†16th May 1848, No. 798. 4th August 1849, No. 988.

‡Referring to Extract Narrative of Judicial (Criminal) Proceedings for the 2nd quarter of 1849, No. 31, dated 7th September 1849.

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ORDER.

Ordered that a copy of the Despatch above mentioned be transmitted for information to the Foreign Department.

Ordered that a copy of this Resolution be forwarded to the Honorable the Deputy Governor of Bengal with a request that the information required by the Honorable Court in their Letter noted in the margin,* may be furnished with the least possible further loss of time, for the use of this Government and of the Home Authorities.

Ordered also that a copy of this Resolution be forwarded for the information of the Most Noble the Governor General, with reference to the letter No. 6, dated 17th ultimo, from the Secretary to the Government of India with the Governor General.

(A true Copy)
C. HUGH LUSHINGTON,
Secretary to the Government of India.

*Honorable Court's despatch No. 23 of 1842, dated the 16th November, paragraphs 6 & 7, communicated to the Government of Bengal on the 15th February 1843, No. 113.
Do. Do. No. 9 of 1844, dated the 31st May; communicated to do. on the 26th July 1844, No. 1'4.
Do. Do. No. 22 of 1846, dated the 19th August, paragraph 115; communicated to do. on the 6th August 1847, No. 1604.
Do. Do. No. 31 of 1847, dated the 11th August; communicated to do. on the 21st October 1847, No. 1872.

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No. 1752.

EXTRACT FROM THE PROCEEDINGS OF THE MOST NOBLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL, IN THE FOREIGN DEPARTMENT, UNDER DATE THE 15TH OF APRIL, 1853.

Read the following papers relating to the administration of the Saugor and Nerbudda Territories.

Resolution of Government, dated 1st December, 1852.

Letter to Secretary to Government North Western Provinces, No. 4582, Dated 1st December, 1852.

Letter to Ditto, No. 4583, dated 1st December, 1852.

FORT WILLIAM.

FOREIGN DEPARTMENT,

The 1st December 1852.

2. His Lordship in Council has lately had occasion to review papers connected with the administration of the Saugor and Nerbudda Territories, in which certain anomalies in the Jurisdiction of Officers serving there were pointed out. His Lordship in Council has also referred to papers pointing out the inconveniences which arise from the intermixture of Jurisdictions in the province of Bundlecund; some portions of land geographically lying within that province being under the Officer in charge of the Zillah of Humeerpore, who is subordinate to the Agra Government; and others being under the Superintendent of Jaloun, and the Agent to the Governor General.

3. His Lordship in Council has also had under his consideration several of the yearly reports on the administration of Scindia's Ceded Districts, and of several of the lapsed states, and the states temporarily administered, which are under the authority of Officers subordinate to the Governor General's Agent.

4. His Lordship in Council has carefully considered the various questions which from time to time have arisen in the course of the above correspondence relative to the possibility of redistributing the Jurisdiction of the Regulation and the Non-Regulation districts, and to the reduction of the expense of management in the districts ceded by Scindia, and to the improvement of the management generally by the introduction of one uniform and central system.

5. It is the opinion of His Lordship in Council, that the whole of the present arrangement for the administration of the Saugor and Nerbudda Territories, and those adjacent to it, cannot be termed other than anomalous. Apart from all question of the intermingling of Jurisdictions, His Lordship in Council observes that, in Criminal trials, the Judge of that Province is subordinate to the Agra Sudder Court; in Civil cases his Jurisdiction is final, and the Agra Court have

no power to receive appeals from his decision. Again, the Head Executive Authority of the province corresponds, ordinarily, direct with the Secretary to the Supreme Government in the Foreign Department, and has no connection with the Government of Agra. But in Revenue matters, he corresponds with, and is subordinate to, the Sudder Board of Revenue at Agra; which authority, though in all other matters acting under the direction of the Lieutenant Governor, refers questions connected with the revenue of the Saugor and Nerbudda Districts, for the cognizance of the Governor General in the Foreign Department.

6. Of the districts ceded by Scindia for the payment of the Contingent, the greater part are under the Governor General's Agent, in communication with the Supreme Government, while one is under the Government of Agra. Other districts similarly ceded are under the Resident at Indore and the Government of Bombay; but their management does not enter into the present question.

7. Taking the above facts into consideration, it is the opinion of the Governor General in Council that the time has now arrived when a different arrangement for the administration of these Provinces has become not only expedient, but necessary.

8. His Lordship in Council has referred to such papers as throw any light on the considerations on which the control of these Provinces was taken from the Agra Government in 1843, and though these considerations are not recorded at length, he has no reason to believe that they were dictated by other than emergent and temporary circumstances. But whatever may have been the motives which dictated the change then, His Lordship in Council is convinced that the same motives cannot be said to bear on the question now; while many considerations of expediency and sound policy point to the retransfer of the Provinces in question to the authority to which they were subordinate previous to 1843, as an arrangement which, in every point of view, will be of great and undoubted utility.

9. His Lordship in Council observes that the Saugor territories border on our own Regulation Provinces; their condition is in many respects the same; and it is evident that a much closer and more effective supervision can be given by the Lieutenant Governor, whose personal inspection can be brought occasionally to bear upon them, than by the Governor General in Council, who is at a distance, and can seldom or never visit them; and whose time, moreover, is taken up with more important or more pressing matters.

10. His Lordship in Council has only been deterred from doing what he has now recommended, during the last year, by the consciousness that the transfer would be objected to by the Commissioner, Mr. Bushby. That gentleman is an officer of rank and of consideration, and His Lordship in Council would have been glad to postpone the change until a vacancy occurred in the Commissionership. This transfer might, under ordinary circumstances, have been postponed without detriment to the Public Service. But, recently, proposals have come for the resettlement of divers districts, the inconveniences often pointed out by the Lieutenant Governor are daily felt more severely; and on these grounds, His Lordship in Council has felt it his duty to propose that the Civil Administration of the Saugor and Nerbudda Territories should be again transferred to the Lieutenant Governor of the North Western Provinces.

11. The exclusively political functions of the Commissioner in connexion with the independent chieftain of Bundlecund, or the Political agent at Gwalior, or with the Resident at Indore, and the designation of Governor General's Agent, will be retained by Mr. Bushby during his incumbency. In these respects he is responsible only to the Governor General in Council, and he will continue to correspond with the Foreign Department direct. As Commissioner of the Saugor and Nerbudda Territories as regards lapsed states, the states under temporary management, and Scindia's ceded Districts, he will be under the immediate authority of the Lieutenant Governor.

12. Accordingly, the Governor General in Council is pleased to declare that the following

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districts shall be transferred to, and shall henceforth be under the authority of the Honorable the Lieutenant Governor of Agra, and that the internal administration and regular control thereof shall be vested entirely in his hands, in communication with those Departments of the Supreme Government with which he usually communicates in regard to the regulation provinces, and with the same limitation of his authority, with one exception, to be separately specified.

13. The districts to be transferred are as follows :—

The districts comprised in the Saugor and Nerbudda Territories; being those of Saugor, Dumoh, Jubbulpore, Seonee, Hoshungabad, Baitool and Nursingpore.

The districts ceded by Scindia for the payment of the expenses of the Contingent; being those of Bhandere and Kuchwa Nagur, Ghur-Mhow Mhow-Mahonee, Indorkee, Nodha, Jawud, Neemuch in Ajmere, Jeerun Gungapoor, Ruttunghur, Hurdah, Hindiah, Chan, Thannah, and Sitwas, Nimawar, and Chandeyree in Bundlecund.

The lapsed states of Jaloun and Jeitpore in Bundlecund, and the states under temporary management of Oocheyra, Myhere, Sohawal and Beejyragooghur.

14. In making this transfer, the Governor General in Council desires to record his high sense of the ability and judgement manifested by Mr. Bushby in the discharge of his important and onerous functions as Commissioner and Agent of these territories, and to intimate to that officer that the present change in the administration proceeds from no abatement of the confidence reposed by Government in him, but from a sole conviction that, on public grounds, the interest of these important districts imperatively calls for the bestowal of more time and consideration than it is, or will be, in the power of the Supreme Government to bestow on them.

15. His Lordship in Council has further considered the propriety, simultaneously with this change, of placing the Judge in the Saugor and Nerbudda Territories under the control of the Agra Sudder Court in Civil cases, in the same manner as he is subordinate to that Court in Criminal cases, under the Provisions of Regulation VI of 1831, Section X; and if the Lieutenant Governor should be of opinion that this arrangement is desirable, His Lordship in Council will be prepared to communicate with the Home Department, with a view to legislation on the subject.

16. The attention of the Supreme Government was first drawn to this point by noticing in the last yearly report of the Civil Judge, that as the law stood, there was no power of appeal from his decision in Civil cases, and that, in consequence, he was repeatedly applied to to review his own judgements. His Lordship in Council is not aware of any reason why this exemption of the Judge from the control of the highest Civil Court should continue, or why suitors should be excluded from a privilege enjoyed by inhabitants of all other non-regulation provinces attached to the Government of Bengal. The supervision of the Sudder Board of Revenue and of the Nizamut Adawlut, His Lordship in Council observes, has been extended to the Provinces in question already with beneficial effect.

An Extract from the correspondence bearing on the subject is annexed.*

*Extract Paragraph 10 of letter from Mr. Mosley Smith, dated 30th June 1852. Note by Mr. Officiating Under Secretary Setonkarr, dated 23rd July, and enclosure, being copies of a letter from Lieutenant Colonel Sleeman, dated 7th March 1853, and reply.
Minute by Mr. F. Currie dated 24th March 1853, by Governor General, dated 16th August.

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Saugor and Nerbudda Territories.

No. 4582.

From

The Officiating Secretary to the Government of India,

To

The Secretary to Government, North Western Provinces.

Dated, FORT WILLIAM, *1st December,* 1852.

FOREIGN DEPARTMENT.

SIR,

I am directed to forward for the information of the Honorable the Lieutenant Governor, a copy of the Resolution recorded by the Most Noble the Governor General in Council, transferring the Revenue and Judicial administration of the Saugor and Nerbudda Territories, and the other districts comprised within Mr. Bushby's jurisdiction, therein specified, to the Government of the North Western Provinces.

In my separate letter of this date, His Lordship in Council has taken occasion to express his sentiments with respect to their management for the present, and his suggestions for their future control, whenever the connection of Mr. Bushby with those Provinces may cease. A copy of the Resolution has been separately forwarded to Mr. Bushby. I am desired, in this communication, to request His Honor's attention to the concluding paragraphs of the Resolution, in which it is proposed to place the Judge in the Saugor and Nerbudda Territories under the control of the Sudder Court at Agra, in Civil as well as in Criminal cases.

In conformity with the Resolution now come to, His Lordship in Council has directed the transfer of the records relating to the above Territory, to your office. They will be sent by successive dâks.

I have the honor to be, &c.

FORT WILLIAM,
The 1st December, 1852.

(Signed) C. ALLEN,
Officiating Secretary to the Government of India.

No. 4583.

From

C. ALLEN, ESQUIRE,
Officiating Secretary to the Government of India,

To

W. MUIR, ESQUIRE,
Secretary to the Government of the North Western Provinces,
AGRA.

Dated, FORT WILLIAM, *the 1st December,* 1852.

FOREIGN DEPARTMENT.

SIR,

In connection with the Resolution of this day's date, relative to the transfer of the Administration of the Saugor and Nerbudda Territories, and of certain other districts, to the Agra Government, I am directed to convey, for the information of His Honor the Lieutenant

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Governor, the orders and observations of His Lordship in Council on certain other points relative to the same subject.

2. His Lordship in Council has had under his consideration the possibility of making arrangements more economical as well as more expedient, whenever Mr. Bushby may vacate his present appointments. His Lordship in Council observes, that Mr. Bushby, as Governor General's Agent, has the superintendence of our relations with Scindia, a political Agent being placed at Gwalior; Mr. Hamilton, the Resident at Indore, has charge of our relations with Holkar, and resides at that place, having authority over the political Agent at Bhopal. The intermixture of the territories of Scindia and Holkar has long been productive of trouble in the management of them, and this has lately been brought to the special notice of His Lordship in Council on more than one occasion. These inconveniences can only be removed, and they would be removed at once, by placing the superintendence of our relations with both Princes in one hand.

3. When, therefore, an opportunity occurs, His Lordship in Council intends that the Governor General's Agency, held by the Commissioner of Saugor, should be abolished; and that, in its stead, there be created a Governor General's Agency "for Malwa," "or for Central India," in the like manner as there is now a Governor General's Agency for Rajpootana.

4. The Resident at Indore should be appointed Governor General's Agent for Malwa. He should reside as now at Indore, and continue to conduct personally the relations of the Government with Holkar. He would also continue to superintend the business connected with Malwa opium.

5. A political Agent should be placed, as at present, with Scindia at Gwalior; and he should be under the authority of the Governor General's Agent at Indore.

6. The Political Agent at Gwalior should also be Political Agent for Bundlecund, having a general direction of the Chiefs, and frequently visiting it. One of the officers of the Saugor districts (such as Captain Erskine at Jaloun) might, His Lordship thinks, be appointed Assistant to the Political Agent at Gwalior, so as to afford convenient access for reference on ordinary matters, to the Bundlecund Chiefs.

7. By this arrangement, a single superintending authority would be extended over the territories of Holkar, Scindia, Bhopal and Bundlecund, according to the system which has succeeded so well in Rajpootana; and there would no longer be that clashing of authority in Central India, which has lately given much trouble to the Supreme Government, and which is calculated to interfere with the public interests.

8. The elevation of the Officer at Indore to the position of a Governor General's Agent, with consequent increase of salary, will put him on a footing better corresponding to his duties and responsibilities than he has occupied since the Opium Revenue in Malwa acquired so much importance. At the same time, this improvement will be effected without any increase of cost to the state; because a considerable reduction will be made by the abolition of the Governor General's Agency in Saugor.

9. When this change has been effected, the Lieutenant Governor can appoint a Commissioner for the Saugor and Nerbudda Territories, subject to the confirmation of the Governor General in Council, on the ordinary salary of a Revenue Commissioner. These sentiments His Lordship in Council is anxious to leave on record, that they may be brought to the notice of the Government of the day whenever an opportunity of acting on them may occur.

10. With regard to the present administration of these districts, His Lordship in Council desires me to state, that all promotions will be made by the Lieutenant Governor, but all direct appointments of Military Officers on the establishment of the Province should be made by the Governor General in Council, on vacancies being intimated by the Lieutenant Governor. Some other minor changes His Lordship in Council is desirous of having effected with as little delay as practicable.

APPENDIX No. 626

Saugor and Nerbudda Territories.

11. His Lordship in Council has observed that the Civil administration of the district of Chundeyree, which is one of the districts ceded by Scindia, and which yields a revenue of about 1,25,000 Rupees a year, is carried on at an expense of 300 Rupees a month in allowances to the Officers in charge, but in a manner to which objection has been made by the Sudder Court at Agra.

*Letter dated 17th January 1844, To Agent Governor General, Scindia's Dominions, paragraph 4.

12. In the papers noted in the margin,* copies of which are annexed, His Honor will find that the Officer commanding at Lullutpore is Superintendent and joint Magistrate of Chundeyree, for which he draws an allowance of 200 Rupees a month; and that the Officer second in command, or the Doctor, is Assistant Superintendent on an allowance of 100 Rupees.

*Letter dated 24th June 1852. No. 627.

13. The Judges of the Agra Court have pointed out that, under the frequent changes of Officers stationed with portions of the contingent at Lullutpore, who perform the Civil duties also, the efficiency of the administration is considerably impaired.

*To Agent, dated 20th July, 1852.
From do. „ 11th August, 1852.
From do. „ 13th March, 1849.
To do. „ 27th do. 1849.
From do. „ 6th April, 1849.
To do. „ 26th April, 1849.
From do. „ 7th May, 1849.

14. The subject was referred for the opinion of Mr. Bushby, who coincides generally in the opinion expressed by the Sudder Court. The remedy proposed by this Officer in his letter No. 105, dated 11th August 1852, is to make over the administration of Chundeyree to the charge of Captain Erskine, the Superintendent of Jaloun, stationed at Orai. But in a letter No. 28, dated 13th March 1849, the same Officer had recommended that the district in question should be attached to Saugor. His Lordship in Council is of opinion that Captain Erskine has sufficient to occupy his time in the administration of Jaloun and Jaitpore, and he understands that Chundeyree is nearer to Saugor than it is to the Sudder station of Jaloun.

15. For these reasons, and being of opinion that the union of Civil and Military functions in the same Officer is, in this instance at least, objectionable, His Lordship in Council has determined to effect the change in the manner proposed by Mr. Bushby originally.

16. But the raising of this question has led His Lordship in Council to examine the whole arrangement, and the distribution of the Deputy Commissioners in these Territories, consisting of four districts and three smaller districts or dependencies. They are managed by four Deputy Commissioners of the 1st class on 800 Rupees per mensem, four Deputy Commissioners of 2nd class on 600 Rupees, and six Deputy Commissioners of 3rd class on 500 Rupees.

* Name of District.	Name of Dependency.
1. Saugor.	Dumoh.
2. Jubbulpore.	Seonee.
3. Hoshungabad.	Baitool.
4. Nursingpore.	

17. It has been generally admitted that the salaries of the 1st and 2nd class, fixed at these rates in 1843, are too low; and proposals have been made to raise them, which have been laid before the Court of Directors. In the meantime it has been the practice to give some of the Officers of the highest class additional allowances for other districts temporarily placed under their charge; and in this way 250 Rupees are assigned to Captain Browne for the administration of Oocheyra, 150 Rupees to Captain Tulloh at Jubbulpore for Beejyraghooghur, and 200 Rupees to Captain Spence at Hoshungabad for Hurda Hindia.

18. The district of Hurda Hindia adjoins Hoshungabad, and the 200 Rupees thus given to the Deputy Commissioner of the 1st class in charge of Hoshungabad, is in the opinion of His Lordship in Council, well and fairly applied.

19. But the arrangement which gives Captain Browne 250 Rupees for Oocheyra, and Captain Tulloh 150 for Beejyraghooghur, does not appear to His Lordship in Council to be a good arrangement.

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Saugor and Nerbudda Territories.

*Oocheyra...	73,000
Myhere ...	65,000
Sohawal ...	26,000
	165,000

20. Captain Browne has only charge of the small districts under temporary management about Nagode, and their revenue is only one and half lac, and for this small charge he receives the salary of a Deputy Commissioner of the 1st class, and 250 Rupees in addition, or 1050 Rupees in all. Mr. Bushby, in order to give his senior Deputy Commissioner the highest salary, or 1050 per mensem, is, as it appears to the Governor General in Council forced to give him the smallest and least onerous charge. Again, the small estate of Beejyraghooghur, yielding 90,000 Rupees, adjoins Oocheyra; but in order to give a senior Deputy Commissioner some extra pay, which His Lordship in Council does not say is not deserved, the estate is not joined to Oocheyra, but to Jubbulpore, from which it is about eighty miles distant.

21. Captain Browne has applied for leave to Europe, and his departure will admit of the anomalies described above being remedied.

*Oocheyra, &c.	Rupees	250
Beejyraghooghur	„	150
Hurda Hindia	„	200
		600
Chundeyree	„	300
		900

22. At present, 600 Rupees extra are received by three Deputy Commissioners for the management of foreign territories; and to this must be added the sum of 300 Rupees now paid to Officers of the Gwalior Contingent for Chundeyree, as already noted in this letter. Until final orders be received from the Court regarding the general question of the salaries of the Deputy Commissioners, His Lordship in Council proposes to distribute the 900 Rupees thus acquired, in the following way. His Lordship in Council would increase the pay of the four Deputy Commisioners of the 1st Class to 1,000 Rupees each per mensem; and he would increase, by one, the number of the Deputy Commissioners of the 2nd Class. The result would thus be:

Former Scale.	Rupees.	Proposed Scale.	Rupees.
4 Deputy Commissioners of 1st Class 800—3,200		4 Deputy Commissioners 1st Class @ 1,000—4,000	
4 Do. Do. 2nd Class 600—2,400		5 Do. Do. 2nd Class @ 600—3,000	
6 Do. Do. 3rd Class 500—3,000		5 Do. Do. 3rd Class @ 500—2,500	
14 Deputy Commissioners	8,600		
Received from foreign Districts	900	14 Deputy Commissioners	9,500
	9,500		

The distribution would be as follows:—

Former.		Proposed.		
Name of District.	*Dependency.*	*Name of District.*	*Dependency.*	
Saugor	Dumoh.	1. Saugor	Dumoh	1.
Jubbulpore	Seonee.		Chundeyree	2.
Hoshungabad	Baitool.	2. Jubbulpore	Seonee	3.
Nursingpore			Nagode	4.
Nagode, containing	Oocheyra, Sohawal, Myhere.	3. Hoshungabad	Baitool	5.
		4. Nursingpore.		

23. In charge of each district would be a Deputy Commissioner 1st Class, and in charge of each dependency, a Deputy Commissioner 2nd Class.

24. A Deputy Commissioner of the 3rd Class would be attached to each division, to be employed in such duties, and at such places, as His Honor may think best.

25. Captain Browne at Nagode has had only charge of Oocheyra, Myhere, and Sohawal. The Deputy Commissioner of the 2nd Class who may now be sent to Nagode, should have the small estate of Beejyraghooghur added to Oocheyra, Myhere and Sohawal The sum of 900 Ru-

pees debitable to the states under temporary management, can still be continued to be debited to those states as hitherto; but the details of the debit can be settled by His Honor when the transfer and its consequent arrangements shall have been carried out.

I have the honor to be, &c.,

(Signed) C. ALLEN,
Officiating Secretary to the Government of India.

FORT WILLIAM,
The 1st December, 1852.

Ordered that copies of the foregoing papers be sent to the Financial Department for communication to the Deputy Accountant General.

(A True Copy)

(Signed) C. ALLEN,
Officiating Secretary to the Government of India.

(A True Copy)

C. HUGH LUSHINGTON,
Secretary to the Government of India.

APPENDIX No. 626

Saugor and Nerbudda Territories.

No. 2018 *A of* 1855.

From

WILLIAM MUIR, Esquire,

Secretary to Government of the North Western Provinces,

To

CECIL BEADON, Esquire,

Secretary to the Government of India,

HOME DEPARTMENT,

Fort William.

Dated, Head Quarters, Nynee Tal, *the* 14*th September,* 1855.

JUDICIAL DEPARTMENT.

Sir,

I am desired by the Lieutenant Governor to bring under the consideration of the Honorable the President in Council, the subject of the salaries of the Officers employed in the several Districts of the Saugor and Nerbudda Division, with a proposal for adjusting them on a scale corresponding with that of similar appointments in the adjoining territory of Nagpore, and in other quarters.

2. The question has been under discussion at former periods, and having been submitted by the Most Noble the Governor General in Council for the consideration of the Honorable the Court of Directors, a Despatch was received from the Honorable Court, No. 8 of 1850, in which it was stated, "that before passing a decision upon your recommendation in favor of the Deputy Commissioners, we must have before us the whole case of the several classes of Officers under your Presidency, performing nearly similar duties, and of somewhat similar rank, though bearing different designations."

3. When the administration of the Saugor and Nerbudda Territories was made over to this Government, the Most Noble the Governor General arranged the salaries of the several officers on the commission, by an adjustment of the means then at his disposal. But this was regarded by His Lordship in Council as only a temporary settlement of the question, until final orders be received from the Court.* The salaries as then provisionally fixed are those still allowed. An addition of Rupees 200 a month was authorized on behalf of the Deputy Superintendents at Jaloun and Jhansi, at the close of last year, by the Supreme Government in the Foreign Department, from funds received from the Gwalior Durbar, so as to raise the rate for the Officers in charge of those two heavy Districts to Rupees 1,000 per mensem. There has also been a slight adjustment of the allowances drawn by the Officer in charge of the Oochheyra and other chiefships, causing no increase of total charge, to which it is not necessary here further to refer.

4. On his late tour through the Saugor Division, the Lieutenant Governor has had the subject under careful consideration, and he had also under review the general Establishments at

*Paragraphs 18 and 22 of Despatch in the Home Department, No. 4583, Dated the 1st December, 1852.

present entertained in these Districts. A revision, to be noticed below, of a portion of these Establishments, will, he has been glad to find, well supply the means for a more equitable apportionment of the salaries of the superior Officers.

5. It is the desire of the Honorable Court that the question should be considered with reference to the several classes of Officers in this Presidency of "similar rank" and performing "similar duties." The Lieutenant Governor believes that the salaries in the Punjab Territories, and in the Nagpore commission, may be taken as a fair standard by which to judge those of the Saugor Districts. In this view, the monthly allowances which the Lieutenant Governor would seek to provide, would be classed in a graduated scale at from 1,500 Rupees per mensem, as the highest in amount, to Rupees 700 per mensem, as the lowest, for the independent charge of a District or Sub Division.

6. The Revenues of the several Districts, which may be taken as a general index of the responsibility and labor of the several appointments, are in round numbers, according to the future intended limits of the Districts, (omitting the charge of the minor Chiefships, held by the Assistant at Nagpore,) as follows:—

Jaloun 13¾ Lacs per Annum.
Saugor, Jhansi, each nearly 11 Lacs per Annum.

Jubbulpore	5,60,000	"
Hoshungabad	4,10,000	"
Nursingpore	3,90,000	"
Dumoh	3,50,000	"
Baitool	1,90,000	"
Seonee	1,80,000	"
Chundeyree	1,60,000	"
Mundla	43,000	"

7. The three first, Jaloun, Jhansi and Saugor, are fairly to be classed as First class Districts; and the Lieutenant Governor, on full enquiry and reflection, does not see that a distinction can be made between them. To each of these he would think it right to attach a salary of 1,500 Rupees per mensem. Jubbulpore, both from its being a District of considerable extent, and the principal station of the Nerbudda Valley, and also from its greater amount of Revenue than the other valley Districts, might appropriately stand next in the scale, at a salary of Rupees 1,200 per mensem. The Hoshungabad and Nursingpore Districts might retain their present scale of Rupees 1,000 per mensem; to which, from its revenue and large extent of work, Dumoh should be raised. The four minor Districts (Baitool, Seonee, Chundeyree and Mundla) might be classed at 700 Rupees, as there is in them the discharge, with full powers, of all Magisterial and Revenue duties in tracts which, though yielding comparatively inconsiderable revenue, are extensive, and call for constant responsible effort, and frequent temporary exposure in a jungly and treacherous climate.

8. In addition to the above augmentations, the Lieutenant Governor thinks it just that the salary of the Superintendent of Jhansi should be raised from the rate now sanctioned, of 1,500 Rupees per mensem, and made more commensurate with the arduous and onerous character of the many duties of the office. The Superintendent is the immediate controlling officer over the districts of Jaloun, Jhansi and Chundeyree in all Departments, and has the full powers of a Civil Judge in subordination only to the Government; and those of a Sessions Judge in subordination to the Nizamut Adawlut, on the same footing as the Civil and Sessions Judge of the Saugor Territory. The limits of the Superintendency are distant from the seat of the Saugor Commissionership, and the tract differs materially in its character, in many points, from the rest of the Division. It may eventually be the most expedient to unite this, together with the other Bundlecund British Districts, either into a distinct administrative Division, or to arrange for its being annexed to some of the existing Regulation Divisions. But circumstances are not yet ripe for so great a change. The Institutions, in the several parts of the tract, have to be assimilated and made

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Saugor and Nerbudda Territories.

regular; and the revenue settlements, for the first time in progress, require a near and closely watchful supervision. While the separate office of Superintendent is retained on its actual footing, a more adequate remuneration is considered by the Lieutenant Governor to be strictly due to it.

9. Including the Superintendency at Jhansi, the present and proposed arrangements would stand as follows:—

Present.			*Proposed.*		
1 Superintendent at.....	Rupees..	1,500	1 Superintendent @....	Rupees....	2,000
6 District Officers at..... (Jaloun, Jhansi, Saugor, Jubbulpore, Nursingpore and Hoshungabad)	1000....	6,000	3 District Officers @....	1,500....	4,500
			1 Do. Do.....	1,200....	1,200
			3 Do. Do.....	1,000....	3,000
			4 Do. Do.....	700....	2,800
5 Do. Do. at..... (Dumoh, Chundeyree, Seonee, Baitool, and Mundla)	600....	3,000			
12			12 Officers		13,500
		10,500	making a net increased charge of Rupees 3,000		
Increase.....		3,000			
		13,500			

10. To meet the additional charge, an ample saving is provided in the revision of Subordinate Establishments above alluded to. This revision extends to the Districts of Jaloun and Chundeyree. A considerable retrenchment in the present amount of charge is also effected in Jhansi; but as the offices in that newly acquired district are as yet only on a provisional footing, and are now only to be submitted, for the first time, for the approval of the Supreme Government, the Lieutenant Governor has excluded them from the calculation.

11. In the scheme as to these subordinate establishments which has been now submitted by the local officers, the following results are shown:—

	Present	*Proposed.*
Superintendent and office.....	2,227.....	2,353
Jaloun.....	20,641.....	18,084
Ditto 3 Pergunnahs transferred to Jhansi.....	5,296.....	4,003
Principal Sudder Ameen and Establishment.....	1,048.....	975
Chundeyree	2,601.....	3,439
	31,813	28,854
Saving.....		2,959
		31,813

12. In the detailed revision of the schedules of which the above are the general results, a considerable further retrenchment appears to the Lieutenant Governor to be practicable, but the particulars cannot be completely arranged without further reference and some probably prolonged correspondence with the Commissioner and the District authorities.

13. In two respects, however, definite instructions for a diminution of the proposed charges have been issued by the Lieutenant Governor. The pay of two of the Uncovenanted Assistants posted in the interior of the Districts of Jhansi and Jaloun, will be reduced from 500 Rupees to 400; and the four lowest class Assistants, or Deputy Collectors, will be remunerated at the usual amount of 250 Rupees per mensem, instead of the rate proposed of 300 Rupees. Each of these measures will produce a saving of 200 Rupees, so that the net saving, as to which there can be no doubt, will be Rupees 3,359 per mensem.

	Rupees	2,959
2 Assistants reduced to 400		200
4 Do. to 250		200
		3,359

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Saugor and Nerbudda Territories.

14. The funds thus existing for the purpose of furnishing the sum required, the Lieutenant Governor has ventured again to bring the inadequate pay of the District Officers of the Saugor Division under the consideration of the Supreme Government. He feels that the spirit, efficiency and success for which he is responsible in the administration of that Division, must be seriously affected by the scale of allowances established in it; which has naturally become the more marked, since the organization, under British officers, of the neighbouring territory of Nagpore. He would have submitted the present recommendations at an earlier period after his tour through the Division, but he has thought it necessary to wait till the minimum scale of practicable reductions had been clearly ascertained, and till the measures necessary to the introduction of the contemplated reforms in all branches of the administration, should be completely matured. And he would now only solicit sanction for the increased scale here proposed, on the understanding that its application is to be postponed until at least an equivalent amount of reduction has been previously carried into effect.

15. The retrenchments will, it will be observed, be entirely gained in the present and former Pergunnahs of the Jaloun District. They will arise from the reduction of Uncovenanted Assistants, and of needlessly large Police and other Interior Establishments, and from the employment of Moonsiffs in the Department of Civil justice, whose salaries and establishments will be more than met by the introduction of stamp fees on the same scale as in the other parts of the Saugor Division.

16. It is only necessary to add that, though certain districts have been rated as of the superior class, and the higher salaries will be ordinarily allotted to the officers in charge of them, it is not proposed that the Government should be strictly and exclusively limited to the assignment of allowances according to this gradation of jurisdictions. In exceptional cases, it is wished that there should be the discretion of retaining an officer in a District, for which his experience and character may specially qualify him without depriving him of the advancement to which he may have gained a title by his standing and meritorious services.

Head Quarters,
NYNEE TAL,
the 14th September 1855.

I have the honor to be, &c.
(Signed,) W. MUIR,
Secretary to Government of the North Western Provinces.

(A True Copy)
C. HUGH LUSHINGTON,
Secretary to the Government of India.

APPENDIX No. 626

Saugor and Nerbudda Territories.

No. 1334 *of* 1856.

From

WILLIAM MUIR, Esquire,
Secretary to the Government of the North Western Provinces,

To

CECIL BEADON, Esquire,
Secretary to the Government of India,
HOME DEPARTMENT,
Fort William.

Dated Agra, *the* 23*rd of February*, 1856.

Sir,

As it is understood that the salaries of the Deputy Commissioners appointed to the charge of Districts in Oude have been fixed on the same scale as that existing under the Punjab and Nagpore administration, and as the disparity of salaries allowed to Officers in like positions in the Saugor Divisions is thus rendered even more marked and discouraging than it was previously, the Lieutenant Governor thinks it his duty again to submit the representations on the latter subject contained in my letter No. 2018 A, dated the 14th September last, for the favorable consideration of the Supreme Government.

2nd. It may not now, the Lieutenant Governor earnestly hopes, be thought necessary, when the duties of the Deputy Commissioners in the Saugor Districts are as extensive and onerous as those within the other Territories for which a higher scale has been authorized, to keep back their single case for examination by a Committee or Commission, whose proceedings must be attended by much unavoidable delay, especially as it is not proposed to grant any augmentation of allowances until reductions of a fully corresponding amount shall have been provided from savings in other branches of the Saugor Establishments.

Agra,
the 23*rd of February* 1856.

I have the honor to be &c.
(Signed) W. MUIR,
Secretary to the Government of the North Western Provinces.

(True Copies)
C. H. LUSHINGTON,
Secretary to the Government of India.

2254

APPENDIX No. 627

Saugor and Nerbudda Territories.

No. 217 OF 1856.

FROM

MAJOR W. C. ERSKINE,

Commissioner of the Southern Division,

TO

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Dated Jubbulpore, 26th May 1856.

SIR,

I HAVE the honor to acknowledge the receipt of your letter No. 101 dated the 12th instant, which I proceed to reply to as follows.

2. The districts of Jaloun, Jhansie and Chundeyree are just as much under me as the other eight mentioned in the margin of your letter; only that the Deputy Superintendents correspond with me, the Board and Government, through the Superintendent.

3. I do not know from what source you ascertained the amount of revenue in the districts you have mentioned, but it is incorrect, and neither corresponds with the land revenue, nor the total collections from other sources.

4. I think also you have formed a wrong estimate of the area of the districts. The division has not yet been surveyed, and district officers have formed a very erroneous idea of the area. But I have lately taken much trouble to find it out, and after having corrected a map of the division, according to the best information procurable, the Revenue Surveyor has, by triangulating the districts in the map, arrived at a much more correct estimate.

5. The following is the result of my enquiries :—

DISTRICTS.	Land Revenue demanded in 1855-56, according to *kistbundee.*	Approximate Area in Square Miles.	No. of Villages.	
Jaloun	13,76,311	2,328	1,037	
Jhansie	7,91,038	3,317	1,058	
Chundeyree	1,22,240	2,008	492	
Saugor	5,68,168	3,656	2,095	
Dumoh	3,10,251	2,436	1,121	
Jubbulpore	4,73,894	4,569	2,644	
Seonee	1,37,651	3,884	1,778	
Mundlah	37,091	8,200	3,411	
Hoshungabad	3,44,287	5,000*	1,396	* This may probably be a little too much owing to Holkar's intermixed villages.
Baitool	1,40,003	3,421	846	
Nursingpore	3,15,412	2,003	901	
Total ...	46,16,346	40,822	16,779	

This is exclusive of Nagode.

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6. You observe that you are struck by the diminutive size of some of these districts, compared with those in the Regular Divisions of the North-Western Provinces, but on turning to pages 44 to 46 of the "Report of the Sudder Board of Revenue, on the revenue administration of the North-Western Provinces for the official year 1854-55," (in which, by-the-by, the area of my division is incorrectly given,) I find that the area of my districts, as now reported by me, will not only bear comparison with that of most of the Regulation Districts, but that mine are the largest. For instance, we will take the area of the largest and smallest district in each division of the North-Western Provinces.

Divisions.	Area of		
	Largest Districts.	Smallest Districts.	
Delhi	3292.7	789.7	
Meerut	2200.1	1253.2	
Rohilcund	3119.1	1900.0	
Agra	2112.9	1677.0	
Allahabad	3009.6	1583.1	
Benares	7340.2	995.5	
Saugor	8200.0	2002.0	By my present return.

7. It is true that the demands on account of revenue in the greater part of the districts in my division will bear *no* comparison with those in the Regulation Districts, but in opposing a proposition of Mr. R. M. Bird, to divide the Saugor and Nerbudda Territories into three large districts, Mr. F. C. Smith, Commissioner of this division, in February 1835 wrote as follows, and I quite agree with him :—"The division of the Agency into three "districts is apparently based on the amount of revenue collected, upon a rule which, how-"ever good it may be in rich countries, is unsuited to poor territories, which consult the "convenience of the Government at the expense of the governed. Mr. Molony's principle "I consider was far more correct, more considerate towards the people, and in the end "must prove more than equally advantageous to Government, inasmuch as no Government "can flourish unless the people participate in its prosperity. If then Government be impos-"ed for the benefit of its subjects, how miserably deficient must any rule prove which "consults only the advantage of the governors. Mr. Molony's plan was founded on—1*st*, "the amount of revenue; 2*nd*, the number of inhabitants; 3*rd*, the area of the country. "It is true that the whole agency does not probably yield more revenue than the Cawnpore "district; but it is equally no less true that the territory paying this small revenue "is equal in extent to eight or nine districts like Cawnpore. If, therefore, I were to pro-"pose the establishment recommended for this agency, for the administration of the Doab "and Rohilcund, I should only, according to Mr. Bird's principle, offer what was just and "proper, and follow the precedent he has afforded us, and yet the absurdity of the pro-"posal would be evident at first sight to every body, though, if founded solely on the area "of the country, not more absurd than the present plan for these territories, which is also "an exclusive plan."

8. The division then consisted of Saugor, Hoshungabad, Jubbulpore, Nursingpore, Seonee (including Mundlah,) Dumoh and Baitool. Since then, however, large slices of territory have been added to the first and second named districts; and, again, the districts of Jaloun, Jhansie and Chundeyree have been added to this division.

9. The Hon'ble Mr. Shore, when Officiating Commissioner in 1835, thought that Mr. Bird's plan of dividing the Saugor and Nerbudda Territories into three large districts might answer, and the Government consented.

10. The Saugor district was composed of Saugor and Dumoh, with a Principal Assistant at Saugor on 2,000 Rupees a month, and a Junior Assistant at Dumoh on 1,000 Rupees a month.

11. The Jubbulpore district consisted of Jubbulpore, Mundlah and Seonee, with a Principal Assistant at Jubbulpore on 2,000 Rupees, and a Junior Assistant at Seonee on 1,000 Rupees, and no officer within the 8,000 square miles now forming the Mundlah district.

12. The Hoshungabad district consisted of Hoshungabad, Baitool and Nursingpore, with a Principal Assistant at Hoshungabad on 2,000 Rupees, Junior Assistant at Baitool on 1,000 Rupees, and a Native Deputy Collector at Nursingpore on 250 Rupees.

13. There were Sudder Ameens and Moonsiffs, and over the whole a Commissioner; but no Judge; and though justice might be obtained, few could go so far to seek it, and the guilty remained unpunished.

14. We must now look to the result of this arrangement.

15. In 1843 an insurrection broke out in nearly every district of the territories, which caused great trouble to the local authorities, expense to the Government, and loss of life and property to the inhabitants. So satisfied was the Governor-General that the system was bad and the districts under-officered, that he made a clean sweep of the establishment. A Civil and Sessions Judge was appointed subordinate to the Commissioner; Deputy Commissioners of the 1st class, on 800 Rupees each per month, (eventually raised to 1,000,) were appointed to Saugor, Hoshungabad, Nursingpore and Jubbulpore; Deputy Commissioners of the 2nd class, on 600 Rupees each, to Dumoh, Seonee, Baitool and Nagode; and there were five Deputy Commissioners of the 3rd class, on 500 Rupees each, *i. e.* thirteen officers, instead of six. Dumoh, Seonee and Baitool having no Treasuries, were, in the Revenue Department, made subordinate to Saugor, Jubbulpore and Hoshungabad respectively.

16. As other tracts in the neighbourhood were ceded or lapsed to the British Government, changes were made, and in September 1853, when the Commissionership was separated from the political duties in Bundlecund, I found my division to consist of the following districts :—

1.	Jaloun,	under charge of a Superintendent		on	Rs.	1,200
2.	Chundeyree,	ditto	ditto ...		„	600
3.	Saugor,	ditto	1st class Deputy Commissioner	„	„	1,000
4.	Dumoh,	ditto	2nd ditto ditto	„	„	600
5.	Nagode,	ditto	2nd ditto ditto	„	„	600
6.	Jubbulpore,	ditto	1st ditto ditto	„	„	1,000
7.	Seonee,	ditto	2nd ditto ditto	„	„	600
8.	Nursingpore,	ditto	1st ditto ditto	„	„	1,000
9.	Hoshungabad,	ditto	1st ditto ditto	„	„	1,000
10.	Baitool,	ditto	2nd ditto ditto	„	„	600

All, except Jaloun, were in the judicial department, under the Judge, Saugor and Nerbudda Territories, who, by Government Resolution of 3rd September 1853, was made independent of the Commissioner.

Nos. 2 and 4 were in the Revenue Department, subordinate to				Saugor.
No. 7 was	ditto	ditto	ditto	Jubbulpore.
No. 10 was	ditto	ditto	ditto	Hoshungabad.

17. There were also five Assistant Commissioners on 500 Rupees each.

18. In 1854 Jhansie lapsed and was added to the division. It was found that the Deputy Commissioners of the 1st class interfered too much with the duties of the Deputy Commissioners of the 2nd class, and that Mundlah was fast deteriorating, from there being no officer to look after it. It was believed that the 2nd class Deputy Commissioners, if made independent of those of the 1st class, would take a greater pride and pleasure in their districts, and the Commissioners would be able to superintend the whole better than if there were *middle men*; and the Government made the following arrangements.

19. Jhansie was made a district under a Deputy Superintendent on 1,000 Rupees, Jaloun the same, and Chundeyree the same, only the pay of the Deputy Superintendent of the latter district was 600 Rupees, and the whole were placed under the charge of a Superintendent, on 1,500 Rupees, at Jhansie, who has the powers of a Civil and Sessions Judge, but is in the Revenue and Police departments subordinate to the Commissioner. The Deputy Superintendents have each a separate treasury, and are, to all intents and purposes, the district officers, and the two former have each several highly paid uncovenanted Assistants or Deputy Magistrates under them.

Nagode was separated from the Commission, and placed under an uncovenanted Superintendent subordinate to me (as Agent to the Lieutenant-Governor,) as the district consists chiefly of four native states at nurse.

Mundlah was placed under a Deputy Commissioner of the 2nd class, and the whole of the 2nd class Deputy Commissioners were made independent of the 1st class. Each Deputy Commissioner of the 1st class has a covenanted Assistant on 500 Rupees, consequently the fixed establishment of covenanted officers is :—

1 Commissioner for the whole division, consisting of twelve districts (including Nagode.)
1 Civil and Sessions Judge for the Saugor and Nerbudda Territories and Nagode, (nine districts.)
1 Superintendent (Civil and Sessions Judge) at Jhansie for three districts.
1 Deputy Superintendent at Jaloun.
1 Ditto ditto Jhansie.
1 Ditto ditto Chundeyree.
1 Deputy Commissioner 1st class and 1 Assistant Commissioner at Saugor.

1	Ditto	ditto	ditto	ditto	ditto	„ Jubbulpore.
1	Ditto	ditto	ditto	ditto	ditto	„ Hoshungabad.
1	Ditto	ditto	ditto	ditto	ditto	„ Nursingpore.
1	Ditto	ditto	2nd class	ditto	ditto	„ Dumoh.
1	Ditto	ditto	ditto	ditto	ditto	„ Mundlah.

1 Deputy Commissioner 1st class and 1 Assistant Commissioner at Seonee.
1 Ditto ditto ditto ditto ditto „ Baitool.
1 Uncovenanted Superintendent at Nagode, paid by the native states.

20. The present establishment of Magistrates and their subordinates, in the Saugor and Nerbudda districts, is very much too small for the work to be done, but in the Bundlecund districts of Jaloun and Jhansie, it is unusually large; and my schedules for reforming the entire establishments are now before the Government, showing a saving on the whole of Rupees 5,424-4-10 per month.

21. I am greatly opposed to the amalgamation of districts. I have always found, that when a *small-paying* district is made subordinate to a richer one, the minor one is neglected by the senior officer, as it is far from him, and by the junior officer, because he is not independent; and though the jumma of the 2nd class districts is small, the area is large.

22. The statements of business, which are being sent to you by the district officers, will show you much better than I can how heavy their work is.

23. Each district has only one Magistrate. The climate of the greater part of the division is decidedly very unhealthy; and if the Magistrate falls sick, work is at a stand. Look, too, at the great distance people have to go for justice.

24. You will see that the whole of the twelve districts are subordinate to me in the revenue and police departments.

25. You ask if the Judge of the Saugor and Nerbudda Territories, stationed at Jubbulpore, could not undertake the trials, civil and criminal, of the whole division. In my opinion he certainly could not do so, but he will be better able than I can be to explain why—suffice it to say, that he has already nine districts under him. The Magisterial business has very nearly doubled within the last ten years. He decided 220 sessions cases last year, and this year has already received about 100 commitments. Foujdaree appeals are very numerous, and he has the control of some twenty-six Civil Courts in addition to the above!

26. In the Regulation Districts nearly every district has its separate Judge. Here we have one Judge with nine districts, and another officer, with Judge's powers, has the remaining three districts. Both are over-worked.

27. With respect to the smaller districts being placed under uncovenanted officers, I can see no other reasons *against* such a proposition for these territories than may exist for such a change in the Regulation Districts. I have had very many able and honest uncovenanted officers under me in charge of small districts, (when I was Superintendent of Jaloun and independent of all the ordinary Courts and Board,) and have since seen how well others can manage their sub-divisions in the North-Western Provinces. If they are carefully selected, there is no reason why the uncovenanted officers should not be in every way as efficient as the covenanted—indeed, I may say that a covenanted Assistant on entering on his duties, generally speaking, knows very much less of the language, the country, the customs, habits and feelings of the natives, and of the rules, regulations and customs of court, than the generality of uncovenanted officers do; and though it may

appear to some of my brother military officers a rather invidious remark of mine, I must say, as a general rule, in these territories, I would much prefer having well-paid uncovenanted officers, both as Assistants to the Deputy Commissioners of the 1st class, and for the charge of some of my 2nd class districts, than inexperienced covenanted officers.

28. I do not say this with any wish for immediate change, nor do I complain of the inefficiency of my permanent district officers; but owing to the constant changes, either from the removal of some of my most experienced district officers to Nagpore and Oude, or to many others being forced to go away on sick leave, I have frequently had very inexperienced officers in charge of districts, and felt much the inconvenience both to the people and to myself.

29. Uncovenanted officers should, I think, neither be removed from the division, nor expect it, and would, generally speaking, be trained up from their youth for our courts, and on receiving charge of a district, would enter on their duties with experience; but the service must not be made one for the employment, in the higher appointments, of young lads fresh from Europe, nor yet for mere ordinary clerks and scribes. Officers selected for charge of districts should be well-educated and well-tried men, whose characters and bearing would entitle them to mix as equals with the best society; for it cannot be denied, that the position in private life of the "hakim" is narrowly watched by the natives, and that they treat him accordingly.

30. I fear I have tired you with the perusal of this long letter, but I have no time to write another, and if I had, I should probably omit something of consequence.

31. I have to-day forwarded a revised map of the division to the Secretary to Government and requested him to let you see it.

I have the honor to be,

SIR,

Your most obedient servant,

W. C. ERSKINE,

Commissioner.

Jubbulpore Commissioner's Office,
The 26th May 1856.

G. A. SAVIELLA, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

APPENDIX No. 628

Saugor and Nerbudda Territories.

OFFICES, nature of duties, and salaries of Officers in civil employ in the Saugor Division, exclusive of the Judicial Department, 30th April 1856.

No.	Office.	Salary.	Estimated area in square miles.	No. of villages.	Revenue.	Duties.
	COVENANTED.					
1	Commissioner and Agent to the Lieut.-Governor and Superintendent of Police.	3,166 10 8	31,795 (Under the fact, but no Survey.)	16,779	5,253,784	The duties of this officer are the same as those of every other Commissioner in the N. W. P., but he has twelve (instead of the average five) districts under him, and all are under survey and settlement. The number of letters written was 8,384 in the last year. The number of Appeals last year was 444, Petitions 539. Is Agent to the Lieut.-Governor for four Native States, under management of Superintendent of Nagode, which adds considerably to his work.
2	Superintendent at Jhansie.	1,500 0 0	3,978 Much under the fact, but no Survey.	2,587	23,95,103	This officer is in general charge of three districts, Jaloun, Jhansie and Chundeyree: that is, he superintends the work of every discription of his three Deputies, who are the district officers. He is a kind of Under-Commissioner. He passes contingent charges; but in all matters requiring orders of the Government or Board in Revenue or Police duties, he corresponds with the Commissioner. He also superintends the settlement and survey operations. He is also Civil and Sessions Judge of his three districts. The number of his letters, last year, in the Revenue and Police Department, was 2,500, and he heard 47 Appeals in the Revedue Department.
3	Deputy Commissioner of Saugor.	1,000 0 0	4,000	2,095	6,12,618	Is Magistrate, Collector and Settlement Officer; also is Judge in all money disputes between a number of chiefs, and their debtors and creditors, and in all civil cases in which Europeans are concerned. Is also Marriage Registrar. The number of his letters in the Police and Revenue Department last year was ... ... 595 The number of Fouzdaree cases... 1,684 Ditto Revenue do.... 8,607 Ditto Petitions ... 18,236
4	Deputy Commissioner of Jubbulpore.	1,000 0 0	4,700	2,644	5,30,260	Ditto ditto as to nature of duties. The number of Fouzdaree cases... 3,321 Ditto Revenue do. ...7,291 Letters ... 774 Petitions ...4,016

APPENDIX No. 628

Saugor and Nerbudda Territories.

OFFICES, nature of duties, and salaries of Officers in civil employ in the Saugor Division, exclusive of the Judicial Department, 30th April 1856.—(Continued.)

No.	Office.	Salary.	Estimated area in square miles.	No. of villages.	Revenue.	Duties.
5	Deputy Commissioner of Nursingpore.	1,000	2,700	901	3,48,136	Is Magistrate, Collector, and Settlement Officer; also is Judge in all money disputes between a number of chiefs, and their debtors and creditors, and in all civil cases in which Europeans are concerned. Is also Marriage Registrar. The number of Fouzdaree cases 861 Ditto Revenue Ditto 5,024 Letters ... 343 Petitions ... 3,004
6	Deputy Commissioner of Hoshungabad.	1,000	3,010	1,396	3,90,198	Ditto ditto as to the nature of work. The number of Fouzdaree cases...1,587 Ditto Revenue do. ...6,380 Letters ... 303 Petitions ...8,684
7	Deputy Superintendent of Jaloun.	1,000	1,778	1,037	14,37,828	Is Magistrate, Settlement Officer and Collector, but subordinate to the Superintendent—(the Officer No. 2 of this return). The number of Fouzdaree cases 1,391 Ditto Revenue do.... 11,233 Letters, not known Petitions... 11,484
8	Deputy Superintendent of Jhansie.	1,000	1,400	1,058	8,28,430	Same duties as above—(No. 7.) The number of Fouzdaree cases...1,800 Ditto Revenue do. ... 9,244 Letters, not known Petitions ...6,960
9	Deputy Superintendent of Chundeyree.	600	800	492	1,28,845	Same duties as above—(No. 7), also Principal Sudder Ameen. The number of Fouzdaree cases... 639 Ditto Revenue do. ...3,101 Letters, not known Petitions ...4,721
10	Deputy Commissioner of Dumoh.	600	1,450	1,121	3,24,412	Is Magistrate and Collector, and has the same duties as No. 3, but has no treasury yet. The number of Fouzdaree cases...1,515 Ditto Revenue do. ... 5,141 Letters ... 260 Petitions ...10,425
11	Deputy Commissioner of Seonee.	600	1,450	1,778	1,66,947	Same duties as No. 10. The number of Fouzdaree cases... 665 Ditto Revenue do. ... 3,197 Letters ... 415 Petitions ...5,121

APPENDIX No. 628

Saugor and Nerbudda Territories.

OFFICES, nature of duties, and salaries of Officers in civil employ in the Saugor Division, exclusive of the Judicial Department, 30th April 1856.—(Continued.)

No.	Office.	Salaries.	Estimated area in square miles.	No. of villages.	Revenue.	Duties.
12	Deputy Commissioner of Baitool.	600	1,337	846	1,76,839	Same duties as No. 10. Fouzdaree cases, not known. Revenue do. ...1,702 Letters ... 250 Petitions, not known.
13	Deputy Commissioner of Mundlah.	600	6,170	3,411	42,704	Same duties as No. 10. The number of Fouzdaree cases... 421 Ditto Revenue do. ...1,796 Letters ... 236 Petitions ... 851 This district, though so large in area, is a dense jungle in the greater part.
14 to 17	Assistant Commissioners. 1 at Saugor 1 at Jubbulpore 1 at Hoshungabad 1 at Nursingpore	Each 500	.....	.....	.....	Some have the powers of a Joint Magistrate and Deputy Collector, others the special powers of Assistants; none are detached.
18 to 20	3 Extra Assistant Commissioners. 1 at Saugor 1 at Jubbulpore 1 at Hoshungabad	Each 500				These officers are only allowed for the settlements. They assist the Deputy Commissioner as far as their powers go.
	UNCOVENANTED.					
21 to 32	11 Assistants to the Superintendent at Jhansie.	Each 250 for the 1st 2 years, and after that 400.	.....	.....	.....	These officers have charge of small districts subordinate to the Deputy Superintendents at Jaloun and Jhansie. They take up every police and most of the revenue cases in their Purgunnahs in the first instance. They have the special or rather extraordinary powers of Assistant Magistrates and Collectors; 2 at present are temporarily detached to zillahs Saugor and Dumoh.
33	Assistant Superintendent at Hurdah, in Hoshungabad.	500	.....	.....	.....	This officer is a Joint-Magistrate and Deputy Collector; and also Sudder Ameen subordinate to the Deputy Commissioner of Hoshungabad.
34	Deputy Collector of Sohagpore in Mundlah.	300	.....	.....	.....	This officer is subordinate to the Deputy Commissioner of Mundlah. He has the special powers of an Assistant Magistrate, and lives in a very unhealthy part of the country.
35 to 45	10 Special Deputy Collectors in Regulation IX. of 1833.	Each 250	.....	.....	.....	These officers are only allowed for the period of settlement of districts Jaloun, Jhansie, Chundeyree, Saugor, Dumoh, Jubbulpore, Seonee, Nursingpore, Hoshungabad, and Baitool, and their duties are to assist in the survey as well as the settlement.

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APPENDIX No. 628

Saugor and Nerbudda Territories.

This return, as far as regards the amount of each officer's duty, is probably under the mark, certainly not above it. I have not materials at present to make the return in this respect quite correct.

In this return the Judge of the Saugor and Nerbudda Territories, and his Principal Sudder Ameens, Sudder Ameens, and Moonsiffs have not been included, as they are not under my control. Nor has the Principal Sudder Ameen at Jhansie (for Jaloun and Jhansie —salary 600.) The Superintendent at Nagode too has been omitted as he is chiefly paid by the native states he manages subordinate to the Agent Lieutenant-Governor (Commissioner of Saugor.) He is an uncovenanted officer, receives 400 from the native states, and 100 from Government for the charge of the Government Myrah diamond mines. He is Magistrate and Collector as well as Guardian and Principal Sudder Ameen.

(Signed) W. C. ERSKINE,
Commissioner.

(True Copy)

A. W. RUSSELL,
Head Clerk.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1. WESTON'S LANE, COSSITOLLAH.

APPENDIX No. 629

Saugor and Nerbudda Territories.

No. 54 of 1856.

From

A. A. ROBERTS, Esquire,

Civil and Sessions Judge, Saugor and Nerbudda Territories,

To

H. RICKETTS, Esquire,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Nynee Tal, dated Jubbulpore, 27th May 1856.

Sir,

I have the honor to acknowledge the receipt of your letter No. 102, dated 12th instant, forwarding copy of a letter addressed to the Commissioner of the Saugor Division, and requesting to know my opinion, whether, without injury to the public service, the districts now under the Superintendent of Jhansie could be added to my jurisdiction.

2. I observe that this proposition is founded upon the scanty resources and supposed diminutive size of several of the districts in these Territories, as compared with the Regulation Districts of the North-Western Provinces; and further, upon the supposition, that even with the addition of the three districts under the Superintendent of Jhansie, "the duties of the Judge and of the Commissioner would still be considerably less onerous "than the duties of many of the Divisions in the Regulation Provinces."

3. Premising that the area and population of these Territories have not yet been correctly ascertained, and that both are only approximately known, and, I believe, underrated, I nevertheless propose taking the data afforded by the Suddur Board's Report on the Revenue Administration for the official years 1854-55, and applying to them the results of the administration of civil and criminal justice, as shown in the Reports of the Dewanny and Nizamut Adawlut, North-Western Provinces, for 1854.

4. I exclude from the comparison the three districts under the Superintendent of Jhansie, and confine myself for the present to the nine districts named in the margin, the first eight of which constitute the Saugor and Nerbudda Territories proper, and which, with Oocheyra, are all subordinate to this judgeship. I cannot give the area and population of Oocheyra, but include the commitments received thence.

Saugor.
Jubbulpore.
Hoshungabad.
Nursingpore.
Dumoh.
Baitool.
Seonee.
Mundla.
Oocheyra.

5. The area, population, and sessional business of the Regulation Divisions of the North-Western Provinces and of these Territories for 1854, together with the number of judges employed, will be found to be as follows :—

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APPENDIX No. 629

Saugor and Nerbudda Territories.

NAMES OF DIVISIONS.	Area in Square Miles.	Population.	No. of persons tried by Magistrates.	No. of persons tried by Sessions Judges.	No. of Judges employed.	REMARKS.
Benares	19,737	9,437,270	2,0088	1,165	6	
Rohilcund	12,428	5,217,507	1,8265	743	3†	† 1 more is proposed.
Allahabad	12,093	4,455,258	1,5031	847	4	
Meerut	11,238	4,536,873	1,3973	533	3	
Agra	9,298	4,373,156	1,5419	770	3	
Delhi	11,854	2,308,154	8414	310	1	
Saugor Division	25,280*	2,371,827	7962	410	1	* Exclusive of Oocheyra.

6. The average divisional area and population in the jurisdiction of each judge, and the average number of persons tried by each judge in 1854, are as follow :—

NAMES OF DIVISIONS.	Average Area under each Judge.	Average Population under each Judge.	Average number of persons tried by each Judge.
Benares	3,289	1,572,880	194
Rohilcund	4,142	1,739,169	248
Allahabad	3,043	1,113,813	212
Meerut	3,746	1,512,291	178
Agra	3,099	1,457,718	256
Delhi	11,854	2,308,154	310
Saugor Division	25,280	2,371,823	410

7. The actual recorded area and population of each of the twenty Judgeships subordinate to the Government of the North Western Provinces, and the number of persons committed in each of three successive years, together with the average number of commitments and of criminal appeals, are given in the subjoined table. The districts are placed with reference to the average number of commitments :—

JUDGESHIPS.	No. of Districts.	Area.	Population.	No. OF PERSONS COMMITTED.				Average number of criminal appeals in 3 years.
				1852.	1853.	1854.	Average of the 3 years.	
1. Saugor Division	9	25,280	2,371,823	485	636	352	491	210
2. Bareilly	3	7,829	3,383,525	490	441	454	461	506
3. Agra	2	3,477	1,864,870	293	317	216	275	115
4. Banda	2	5,374	1,240,707	297	29 0	250	279	115
5. Delhi	5	11,854	2,308,154	221	229	300	250	218
6. Furuckabad	1	2,122	1,064,607	224	244	234	234	185
7. Mynpooree	2	3,697	1,443,679	196	241	232	223	154

APPENDIX No. 629

Saugor and Nerbudda Territories.

Judgeships.	No. of Districts.	Area.	Population.	No. of persons committed.				Average number of criminal appeals in 3 years.
				1852.	1853.	1854.	Average of the 3 years.	
8. Azimgurh	1	2,516	1,653,251	259	181	224	221	48
9. Benares	1	995	8,51,757	218	165	240	207	293
10. Moradabad	2	4,598	1,833,982	239	191	143	191	107
11. Meerut	2	4,040	1,876,941	165	135	195	165	163
12. Mirzapore	1	5,152	1,104,315	181	161	151	164	52
13. Saharunpore	3	5,062	1,531,153	179	162	140	160	118
14. Allahabad	1	2,788	1,379,788	152	141	162	151	91
15. Cawnpore	1	2,348	1,154,971	89	143	211	147	254
16. Futtehpore	1	1,583	679,787	151	117	140	136	108
17. Ghazeepore	1	2,181	1,596,324	102	175	104	127	168
18. Allygurh	1	2,136	1,128,979	148	152	78	126	110
19. Goruckpore	1	7,340	3,087,874	88	130	149	122	112
20. Jaunpore	1	1,552	1,143,749	153	93	112	119	56

8. The Bareilly judgeship contains the largest population, and the sessional and appellate work was far heavier in it than in any other of the Regulation districts; but I need not remind you that the Additional Judge, who performs the criminal duties, has no civil judicial jurisdiction whatever. It is also well known that the appointment of another Civil and Sessions Judge, either at Shahjehanpore, or at Budaon, has long been contemplated, and, I imagine, the subject is now under your consideration. The case therefore of the Bareilly judgeship is quite exceptional.

9. Leaving Bareilly out of the question, it will be seen that the judgeship over which I preside comprises more than twice the area of the Delhi judgeship, more than three times that of Goruckpore, and about five times that of any other judgeship. I believe when the Revenue Survey of these Territories is concluded, it will be found that the area is considerably more than 25,280 square miles. It will also be seen that the popula-

tion as now given, and which I also believe to be under the mark, is considerably greater than that of the Delhi judgeship and is twice and three times as great as the average population of the remaining judgeships in the Regulation Provinces. Lastly, you will observe, that the average number of persons committed to the Sessions is twice and three times as great as the average commitments in fifteen of the judgeships, and that it exceeds the average commitments of Bareilly itself by thirty.

10. I have above given you the latest published returns, *viz.* those for 1854, as affording a good comparison; but I must inform you, that an interval of three months occurred between the departure of my predecessor in August and my own assumption of the charge of this office late in November 1854, and that during those three months the sessional work, and also the appellate work, both criminal and civil, was at a stand still.

11. The sessional duties during 1855 were much heavier, as there were for trial 258 commitments, involving a nominal number of 636 persons, whereof 220 cases with 542 persons were disposed of before the close of the year, and 284 out of 312 criminal appeals were also decided.

12. This year I have already received about 100 commitments, *cases, not persons,* and 103 appeals; and if the work continues to come in at this rate, it is clear that the sessional and criminal appellate duties will be much heavier than they were last year. My own impression is, that the entire criminal work, both magisterial and sessional, is rapidly on the increase, insomuch that very nearly twice as many persons were tried in 1855 as in 1845—such an increase necessarily affects the judges' duties.

13. I trust I have said enough to show that my sessional and criminal appellate duties, without any addition of jurisdiction, are not less onerous than those of any other judge subordinate to the Government of the North-Western Provinces.

14. As regards my civil judicial functions, they are those of a Court of special and ultimate appeal or Sudder Dewanny Adawlut.

15. The arrangements made by Mr. C. W. Caldecott, in 1843, have been somewhat modified. The Sudder Ameens' and Moonsiffs' Courts which he established in Mundla have been abolished, and three Pergunnah Courts substituted. The machinery for the administration of civil justice in the remaining seven districts of these Territories is as follows :—

2 Principal Sudder Ameens' Courts.

3 Sudder Ameens' ditto.

4 1st Class Moonsiffs' ditto.

7 2nd Class ditto ditto.

16. The Principal Sudder Ameens have no original jurisdiction, and constitute Courts of common appeal from the decisions of the fourteen subordinate Courts.

APPENDIX No. 629

Saugor and Nerbudda Territories.

17. The districts are apportioned into two divisions, which comprise the following districts and courts :—

Districts.	Stations.	Courts of		
		Principal Sudder Ameen.	Sudder Ameen.	Moonsiff.
		1st or Jubbulpore Division.		
Jubbulpore ...	Jubbulpore ...	1	1	1
Ditto ...	Sehara ...	0	0	1
Seonee ...	Seonee ...	0	0	1
Dumoh ...	Dumoh ...	0	0	1
	Total ...	1	1	4
		2nd or Nursingpore Division.		
Nursingpore* ...	Nursingpore...	1	0	1
Ditto ...	Shapore ...	0	0	1
Saugor ...	Saugor ...	0	1	1
Ditto ...	Khoorya ...	0	0	1
Ditto ...	Rehly ...	0	0	1
Hoshungabad ...	Hoshungabad.	0	1	0
Ditto ...	Seonee ...	0	0	1
Baitool ...	Baitool ...	0	0	1
Total ...		1	2	7
Grand Total ...		2	3	11

* Another Moonsuffee is about to be constituted at Chaorpatha, in this District.

18. In Mundla civil justice is administered by the Deputy Commissioner, who has original jurisdiction in all cases above Rupees 600 in value, and appellate jurisdiction over the three Pergunnah Courts of primary venue in cases below that amount. A special appeal lies to me from the Deputy Commissioner's decision.

19. In the ceded districts of Hurda Hindai, attached to Hoshungabad, there are
3 Pergunnah Courts of primary venue.
1 Assistant Superintendent's Court (native), with both original and appellate jurisdiction.
1 Deputy Commissioner's Court, with original jurisdiction in the largest suits, and appellate jurisdiction over the Assistant Superintendent.
Special appeals lie to me.

20. In the four petty states under the Superintendent of Nagode, there are
4 Pergunnah Courts of primary venue.
1 Superintendent's Court, with both primary and appellate jurisdiction.
Special appeals are heard by me.

21. Besides the 16 Regular Courts, therefore, in seven districts of these Territories, I have 14 other Civil Courts, or 30 Courts in all to control.

22. The fourteen primary Courts of the seven districts alone last year disposed of 9,393 regular suits, involving a sum of Rupees 8,15,503-14-7. The two Principal Sudder Ameens decided 845 cases of common appeal, while 158 cases came before me in special appeal and 188 petitions of special appeal, besides applications for review of judgment, summary appeals, &c., were also disposed of. For reasons that I need not enter upon here, the number of special appeals decided last year, and of petitions rejected, were fewer than the average, or than they are likely to be this year.

23. By referring to the Report of the Sudder Dewanny Adawlut, North Western Provinces, on the administration of civil justice for 1854, I find that Bareilly is by far the largest and heaviest judgeship in the North Western Provinces, yet there are only twelve Moonsiffs, two Sudder Ameens, and two Principal Sudder Ameens, or 16 Courts in all subordinate to the judge, who devotes himself exclusively to the administration of civil justice, and has no sessional duties whatever to perform. Moreover, he has not the burthen and grave responsibility to bear of being the Court of final and ultimate appeal. I would also remind you once more that the institution of a new judgeship in Rohilcund will probably diminish and lighten the labors of the judge of Bareilly.

24. I have heretofore confined myself to an exposition of the amount of work which devolves upon the Judge of those Territories, and I hope that I have succeeded in proving that his duties are not a whit less onerous than those of any Zillah Judge in the North Western Provinces, and that any enlargement of jurisdiction is not called for on the ground of the comparative lightness of the duties of this office.

25. I would now adduce the extent of the Territories, the nature of the country and the very primitive state of the roads, which often pass through rough, stony, I may say mountainous, tracts and dense forest jungles, as an argument against any enlargement of my jurisdiction.

APPENDIX No. 629

Saugor and Nerbudda Territories.

	Distance in miles.	Number of marches.
Jubbulpore to Dumoh	68	7
" to Saugor	112	12
" to Seonee	88	11
" to Hoshungabad...	164	11
" to Mundla	60	6
" to Nagode	110	12
" to Nursingpore ...	57	5
" to Baitool	230	22
" to Jhansie	238	24
" to Oorae.....	322	32

26. I give in the margin a list of distances from my head-quarters, Jubbulpore, and I also add the distance of Jhansie and Oorae, where the Deputy Superintendent of Jaloun resides, from Jubbulpore.

27. For very forcible reasons stated by Mr. F. C. Smith, Agent to the Governor General, in his letter No. 1718½, dated 6th August 1832, to the address of the Deputy Secretary to Government of India in the Judicial Department, the Judge of these Territories is permitted to decide all but the most heinous commitments, *viz.*, those which involve a reference to the Nizamut Adawlut, or which require above seven years' imprisonment, on the record of the Magistrates. The very heinous cases, except those of the stations nearest Jubbulpore, in which the parties and witnesses are sent in, are kept for the cold weather circuit, when the Judge visits all the outlying stations and holds a jail delivery. My last circuit commenced on the 13th November and terminated on the 9th March, during which time I visited six out of the seven outlying sudder stations, and accomplished a journey of about 837 miles. The heat was so intense in March, that I had to hurry in, nor is it considered safe to remain in tents after the 15th of that month. It is scarcely possible within four months to visit and hold circuit at all the stations in these Territories, and at Nagode (Oocheyra), but it would require about a month and a half more to take in Jhansie and Jaloun.

28. Finally, I would point out the hardship of entailing a journey of 320 miles on persons wishing to appeal from the orders of the local officers.

29. I would, therefore, on every ground, oppose any addition to my already overgrown jurisdiction, and beg to offer to your consideration, whether the modification of existing arrangements proposed by, in the accompanying memorandum, would not better insure the public interests.

30. As regards the proposal to amalgamate districts, I beg to state that the plan has already been tried and was not found to answer. Nursingpore is believed to be the smallest district in these Territories, still it is calculated to comprise an area of 2,003 square miles, which is much larger than 36 out of the 40 counties of England. I therefore consider that every district absolutely requires an independent local officer.

31. I would not only maintain existing sub-divisions, but would for some time to come place them in charge of European officers only, covenanted or uncovenanted, is immaterial, provided the individual be otherwise properly qualified. The leaven of the Mahratta rule still cleaves to the land and to the people, the Territories are surrounded by independent Native States and are full of petty jagheerdars. It is only Saxon energy, independence, and moral courage and rectitude, which can, in the present condition of Indian society, meet and counteract such influences. I by no means mean to say that there is no native fit for an independent charge, but there are very few as yet, and I would rather see them so employed in a more favorable field. The brightest instance I know in these parts is Mahomed Muzhur Jumeel, the Assistant Superintendent of Hurda Hindai, and yet I deem that he is better placed as Second in Command than he would be in entirely independent charge; and I am not sure that he does not think so himself.

32. I would also strongly urge an increase of subordinate European officers, covenanted or uncovenanted.

33. Last year Baitool was in charge of six officers, only one of whom held the district so long as four months. It was four months in charge of two successive Deputy Commissioners of Hoshungabad, and for a month was in charge of the Assistant at Hoshungabad, all three of whom had of course the more immediate duties of their own district to perform as well. There was absolutely no uncovenanted local officer who could be placed in charge. The Peishkar of Baitool, Meer Vilayut Hossein, is also Deputy Magistrate, with the special powers of an Assistant; and though said to be a deserving old officer, was certainly not fit to be put in executive charge of the district. I consider that an European Assistant, covenanted or uncovenanted, with both revenue and judicial powers, is urgently needed in the smaller districts, as well as in the larger.

I have the honor to be,

SIR,

Your most obedient Servant,

A. A. ROBERTS,
Civil and Sessions Judge.

SESSIONS COURT,
Saugor and Nerbudda Territories,
Jubbulpore, 27th May 1856.

P. S.—Having observed your memorandum, dated 12th instant, in the *Calcutta Government Gazette,* I beg to remark that your Circular No. 1, dated 28th March last, was not received by me, and that I much doubt whether district officers will be able adequately to exhibit the duties and responsibilities which attach to this office.

A. A. ROBERTS,
Civil and Sessions Judge.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

APPENDIX No. 630

Saugor and Nerbudda Territories.

MEMORANDUM alluded to in Paragraph of a letter No. , dated 27th May 1856, to the address of H. RICKETTS, ESQ., Commissioner for the revision of Civil Salaries and Establishments throughout India.

I beg to propose for consideration, whether the partition of the Saugor and Nerbudda Territories, and of the Districts under the Superintendents of Jhansi and Nagode, into two Divisions of five and seven Districts respectively, each under a separate Commissioner on the Punjab, Oude and Nagpore plan, would not be a better modification of existing arrangements than the plan of enlarging the already overgrown jurisdiction of this Judgeship.

2. Saugor and Dumoh formerly belonged to the Peishwa Bajee Rao, by whom they were ceded to us. Jubbulpore and the four other districts watered by the Nerbudda, and also Baitool, were acquired from the Raja of Berar (Nagpore).

3. The first mentioned Districts, which used formerly to be called "Saugor and its dependencies," are separated from the Nerbudda Territories by the Vindhya Mountains, the river Nerbudda and the Bhopal state.

4. It appears to me that Saugor and Dumoh with Chundeyree, Jhansi and Jaloun, would be a suitable charge for one Commissioner invested with Revenue, Police and Judicial powers; while the six Nerbudda Districts and Nagode might be well placed under another officer of the same grade and authority.

5. The area of the former, which might be called the Saugor Division, would be about 13,745 square miles, according to the nearest approximate calculation which has yet been made, and which I give in the margin;* while the Jubbulpore Division would contain twice as large an area. It must, however, be borne in mind that the former contains two highly cultivated Districts, Jaloun and Jhansi, which are perhaps not far behind many of our Regulation Districts; while the resources of the Nerbudda Territories are only very partially developed. When a Railway shall have penetrated to Saugor, and another Railway shall have opened up the valley of the Nerbudda, and when the waste tracts of Jubbulpore, Seonee, Baitool, and above all, of Mundla, are adequately cultivated and populated, I have no doubt that a modification of the plan I now propose will have to be made, and a third Commissionership constituted lower down the valley of the Nerbudda. In the meantime, I cannot but think that it would be a better plan to divide the Territories into two portions, and to place each under a Commissioner invested with powers in all Departments, than to attempt to place a tract of country, half as large again as either Scotland or Ireland, and with a population considerably greater than that of the former country, under a single Judge.

*Jaloun	2,328
Jhansi	3,317
Chundeyree	2,008
Saugor	3,656
Dumoh	2,436
Total.....	13,745
Jubbulpore.	4,569
Seonee	3,884
Mundla	8,200
Hoshungabad	5,000
Baitool	3,400
Nursingpore	2,003
Total.....	27,056
Nagode	1,789

6. Although it is the case that the Commissioner has the control of this immense tract of country in the Revenue and Police Department, it must be remembered that the Superintendent of Jhansi is a sort of Sub-Commissioner, or perhaps Principal Collector, and no doubt disposes

of many matters which would otherwise have to come before the Commissioner. But even should the latter be prepared to undertake the Revenue and Police control, without the intervention of the Superintendent, I cannot admit that to be any argument for transferring the Judicial duties of the Jhansi Districts to this Judgeship. A Commissioner's duties are doubtless far from light, but they are varied and highly interesting, certainly much more so than the incessant and monotonous drudgery of a heavy Judgeship. Moreover, he decides entirely upon the record, or the Reports of the District officers, and has no cases to try, a process which necessarily occupies much time. While, therefore, a single Commissioner may be able to control the Revenue and Police of the whole of the Territories, and of the Jhansi Districts, I do not think that is any reason why a single Judge should be able to perform all the higher Judicial duties of the same tract of country. Indeed, in the Regulation Provinces, there are three, four, and even six Judges in some of the Commissionerships.

7. I do think, however, that two Commissioners invested with Revenue, Police and Judicial powers, might, between them, for some time to come manage the whole of the Territories, and the more easily if the magisterial powers of the Chief District officers are somewhat extended, and they are invested with appellate authority in Civil Cases.

8. For obvious reasons, I do not allow this memorandum to pass through my office at present, but I have communicated the purport of it to the Commissioner of the Division.

A. A. ROBERTS,
Civil and Sessions Judge,
SAUGOR AND NERBUDDA TERRITORIES.

JUBBULPORE,
27th May, 1856.

APPENDIX No. 651

Saugor and Nerbudda Territories.

No. 292 *K of* 1856—57.

From

CAPTAIN A. SKENE,
Superintendent at Jhansi,

To

HENRY RICKETTS, ESQUIRE,
Commissioner for the revision of Civil Salaries and Establishments, throughout India.

Dated, JHANSI, *the* 19*th June,* 1856.

SIR,

I have the honor to acknowledge the receipt of your letter No. 103 of the 12th Ultimo, my reply to which has been delayed, pending receipt of information, especially regarding areas, called for from the districts under my control.

2. You inquire whether the three districts of Jaloun, Jhansi and Chandeyree could not be made one district; whether they could not be made two districts; and whether they could not be added to the jurisdiction of the Commissioner of the Saugor division?

3. In reply, I would first observe, that your information with regard to these districts, although taken from a return compiled in the office of the Sudder Board of Revenue, is not to be depended upon.

4. There has been neither a survey nor a census of any of these; consequently the area and population given in the Board's return is a mere guess, and further inquiry leads to the belief that the guess has been a very rough one.

5. The following is believed to be a closer approach to the truth with regard to areas than has been exhibited in former returns:—

Jaloun	2,328	Square Miles.
Jhansi	3,317	Do.
Chandeyree ..	2,008	Do.
Total..	7,653	Do.

6. The following is the present land Revenue demand upon these districts:—

Jaloun	Rupees	13,76,337
Jhansi	„	7,52,000
Chandeyree ..	„	1,21,972
	Total Rupees..	22,50,309

7. No district in the North Western Provinces contains either so large an area, or pays so large a revenue as the above; but there are other circumstances, especially affecting police administration, which would render it, in my opinion, impossible to manage this large tract of country as one district efficiently. They are the following:—.

8. The tract of the country is not compact; it is much longer than it is broad, its length

being about 170 miles, and its breadth varying from about 100 miles in some places, to 18 miles in the immediate neighbourhood of Jhansi. It is not only surrounded by foreign states, with many of their outlying villages situated within it, but within the area of the district of Jaloun, as shewn on the map, are contained the foreign state of Sumpthur, and the tract of country named Nuddygaon, belonging to the state of Duttiah.

9. The returns recently submitted to you by the Deputy superintendent, copies of which have been forwarded to me, exhibit an amount of work which, in my opinion, could not be properly attended to by one covenanted officer. But leaving this out of the question, the enormous area of the three districts I consider by far too large to be made into one.

10. The proposal to lump up into one the districts of Jhansi and Chandeyree I consider open to many objections; but before entering upon them, I would remark that it is in contemplation to increase the size of Jhansi, by adding to it a pergunnah of Jaloun, an arrangement which will considerably increase the work of the district officer.

11. The objections which I entertain to the formation of Jhansi and Chandeyree into one district are principally on the score of police administration, the efficiency of which would, I am of opinion, be considerably weakened by leaving the Chandeyree district without an officer invested with full magisterial powers. A very large portion of the inhabitants of Chandeyree and of the southern pergunnahs of Jhansi, are Boondela Thakurs, a most turbulent race, who have never yet abstained from plunder except when under the eye of a police establishment coerced by a vigilant magistrate. The tracts of country they inhabit, especially in the Chandeyree district, which may be described as hill and jungle with patches of cultivation interspersed through them, render it exceedingly difficult to act against the Thakurs, when inclined to be troublesome. For some time back they have been quiet, but any relaxation of supervision would induce them to revert to the old malpractices, and I should regret to see a change in the system which has been found to answer well.

12. It must also be borne in mind that the Banpore Rajah's territories are intermixed with the Khalsa villages of Chandeyree in a manner which materially adds to the difficulty of both the police and revenue adminstration of that district, while no inconsiderable portion of the district officer's time is occupied with affairs connected with the Rajah and his dependants, of a nature quite distinct from the ordinary routine of a district officer's work.

13. Another fact which must be borne in mind in considering the feasibility of adding Chandeyree to another district is that the Revenue is paid from a large number of small estates, and entails much trouble in collecting.

14. With regard to adding the districts under my control to the jurisdiction of the Commissioner of Saugor, my letter, No. of this date, will inform you of the extent to which they are already within his jurisdiction; and the nature and extent of my duties as therein indicated, will no doubt satisfy you that without taking into consideration the great distance at which the nearest of the districts is from Jubbulpore, they could not be superadded to the heavy amount of work already in the Commissioner's hands.

OFFICE OF THE SUPERINTENDENT AT JHANSI,
The 19*th June* 1856.

I have the honor to be,
Sir,
Your most obedient Servant,

A. SKENE,
Superintendent.

APPENDIX No. 6.52
Saugor and Nerbudda Territories.

No. 293 *of* 1856.

From

CAPTAIN A. SKENE,
Superintendent at Jhansi,

To

H. RICKETTS, ESQUIRE,
Commissioner for the revision of Civil salaries and Establishments throughout India.

Dated, JHANSI, *the* 19*th June* 1856.

SIR,

I have the honor to acknowledge the receipt of your letter No. 243 of the 7th Instant, forwarding a form to be filled up shewing the work transacted in, and calling for information regarding, the position of my office with reference to the Commissioner, and the district officers, and other matters relating to it.

2. The form annexed to your letter is herewith returned filled up as required by you.

3. Before replying to your questions, as you appear to have received no information regarding the origin of my office, and those of the officers subordinate to me, I shall say a few words on that subject.

4. The states of Jaloun and Jhansi were taken under British management from political causes in 1838, and were placed under two Superintendents subordinate to the Governor General's Agent in Bundlecund.

5. In 1843, Jhansi was made over to the Rajah, Jaloun, which lapsed by the death of the Chief in 1844, remaining under a Superintendent, subordinate to the Agent, until 1853.

6. Chundeyree was ceded by Scindiah in 1843, and placed under a Superintendent, also subordinate to the Agent Governor General, but the Sessions duties were made over to the Judge of the Saugor and Nerbudda Territories.

7. In Jaloun the Agent performed the duties of Civil and Sessions Judge as well as Commissioner of Revenue; in Chundeyree, those of Civil Judge and Commissioner only.

8. In 1853, the British districts under the Agent Governor General, and Commissioner of the Saugor Division, were placed under the Government of the North Western Provinces, and the Sessions duties of Jaloun were transferred to the Judge of Bundlecund, subordinate to Government only; the Civil and Revenue duties remaining as formerly under the Commissioner, who was, until October, also Agent to the Governor General.

9. In May 1854, the lapsed state of Jhansi was placed under the Government of the North Western Provinces, and my office was then formed under the designation of Superintendent of Jaloun and Jhansi.

10. It was at first intended by Government that the settlement of the two districts should be made by me, and the instructions with reference to my position and those of the Deputy Superintendents were to the effect that, except in settlement proceedings, the Deputy Superintendents were to hold precisely the same trust and position in their respective districts as had previously been held by the Superintendent of Jaloun in Jaloun; and that, in like manner, wherever

the right of interference or supervision had been previously exercised by the Commissioner, the same was to devolve upon the Superintendent, who was to occupy the position theretofore held by the Commissioner, except with regard to settlement proceedings, which he was to conduct on the usual footing of a district officer. The Commissioner of the Saugor Division was at the same time relieved from all responsibility in regard to Judicial proceedings, Civil and Criminal, but directed to retain the superior control of the Revenue and Police departments, with power to issue orders and interfere in particular cases as he might from time to time see fit.

11. In July 1854, the Sessions duties of Jaloun and Jhansi were made over to me with the full powers of Sessions Judge, subordinate to the Court of Nizamut Adawlut at Agra; and, at the same time, the district of Chundeyree was added to my charge.

12. Towards the close of 1854, the Settlement duties of Jaloun and Jhansi were transferred to the Deputy Superintendents, and the Civil duties which had, in accordance with former practice in Jaloun, been performed by them, were transferred to me. Since that time no changes have been made.

13. From the above you will perceive that the supervision and control of the duties of the three districts in every department of the public service is vested in me.

14. In the Sessions department I am Sessions Judge, subordinate to the Nizamut Adawlut.

15. In the Civil department my Court is that of final appeal, subordinate to the Government only, with the immediate control of the Civil Courts of the Deputy Superintendent of Chundeyree, the principal Sudder Ameen at Jhansi, and the Assistants to the Superintendent, and the general control and supervision of eighteen pergunnah Adawluts in the three districts.

16. In the departments of Revenue and Police, I exercise the powers of a Commissioner in all matters within the powers of a Commissioner to dispose of, referring to the Commissioner of the Division such as must from their nature be submitted to higher authority, and such as I may desire, from special causes, to be submitted to higher authority.

17. With regard to appeals, I must first inform you that no case disposed of by a Revenue Court in the Saugor Division can be brought before a Civil Court under any circumstances; the jurisdiction of the two departments is clearly defined, and neither can interfere in suits within the competence of the other to dispose of.

18. In summary suits tried in the Revenue department there is only one appeal, viz., to my Court.

19. In Regular suits tried in the Revenue department there is an appeal from the decision of the Officer who has tried the suit, to my Court, a second to the Court of the Commissioner, and a third to the Sudder Board.

20. In the general class of Revenue cases, the Deputy Superintendents have the power of listening to appeals from the decisions of the subordinate officers, and from their decisions, again, appeals may be brought into my Court, into the Court of the Commissioner, and, finally, before the Board.

21. From the above you will perceive that four appeals is the utmost limit to which any litigant could resort, but I cannot call to my recollection a single case in which four appeals have been made; and appeals to the Board are rare even in Regular suits, the parties generally being satisfied with one or, at the most, two revisions of their cases.

22. In reply to the question put in the third paragraph of your letter, I beg to state that I consider the multiplication of appeals the very reverse of beneficial to suitors; but you will observe from what I have said, that the facility of appealing is much less than you appear to have imagined.

I have the honor to be,
Sir,
Your most obedient Servant,
A. SKENE,
Superintendent.

OFFICE OF THE SUPERINTENDENT AT JHANSI,
The 19th June 1856.

APPENDIX No. 52
Saugor and Nerbudda Territories.

STATEMENT OF WORK IN THE OFFICE OF THE SUPERINTENDENT AT JHANSI.

1	2	3	4	5	6
Average number of letters sent for two years.	Average number of letters received for two years.	Average income of Revenue Cases for two years.	Average income of Civil Cases for two years.	Average income of Police and Criminal Cases for two years.	REMARKS.
2,367	2,570	204	103	161	The Office having been in existence for two years only, the average of that period is exhibited. In columns 3, 4, and 5, the average number of cases brought before me for trial, or revision on appeal, is inserted. A very large number of references of a general nature in all the departments are not shewn in this statement. From the Customs department alone, during the past year, 650 cases of Salt Seizures and Confiscations were sent me for revisal and sanction.

OFFICE OF THE SUPERINTENDENT AT JHANSI,
The 19th June 1856.

A. SKENE,
Superintendent.

2249

2280

APPENDIX No. 633

Saugor and Nerbudda Territories.

No. 3779.

FINANCIAL DEPARTMENT.

To

H. RICKETTS, ESQUIRE.

Commissioner for the revision of Civil Salaries and Establishments throughout India.

SIR,

Letter from the Officiating Secretary to the Government of the North Western Provinces, No. 921, A. of 1856, dated 2nd July 1856.

IN continuation of my predecessor's letter No. 1470, dated 28th March last, I am directed by the Right Hon'ble the Governor-General in Council to transmit herewith copy of document noted in the margin, together with the original* enclosures containing a proposition to revise the Revenue and Judicial Establishments in the districts comprised in the Saugor Division, the necessity for which revision you will observe was felt by his Honor the Lieutenant-Governor while on a tour through the Saugor and Nerbudda Territories in the season 1854-55, on which occasion it appeared to him that, "while the Establishments of the Jaloun and "Jhansie districts were unnecessarily large, those in the majority of the other districts in "the division were clearly greatly too limited to be able to perform the duties expected "from them with efficiency." The Commissioner was therefore directed, in communication with the local officers, to prepare a revised schedule of Executive Establishments, such as might be found adequate to the requirements of each district; and the following is an abstract of the measure now proposed† by the Hon'ble the Lieutenant-Governor, the financial result of which is a net reduction of expenditure, amounting to Rupees 3,588-13-10 per mensem, of which it is proposed to credit Rupeees 2,514-4-10 to the British Government, and Rupees 1,074-9 to Scindia's Government:—

Present and proposed Civil Establishments in the Saugor Division.

Districts, &c.	Present.	Proposed.	Increase.	Decrease.
Commissioner and Office	4,576 10 8	4,576 10 8	0 0 0	0 0 0
Judge and Office	3,662 10 8	3,662 10 8	0 0 0	0 0 0
Superintendent Jhansie and Office	2,853 0 0	2,853 0 0	500 0 0	0 0 0
Principal Sudder Ameen Jaloun and Jhansie	1,048 0 0	975 0 0	0 0 0	73 0 0
District of Jaloun	20,857 10 10	13,734 0 0	0 0 0	7,123 10 10
" Jhansie	17,733 8 0	13,947 0 0	0 0 0	3,786 8 0
" Chundeyree	2,992 0 0	3,840 0 0	848 0 0	0 0 0
" Saugor	8,971 8 0	10,648 0 0	1,676 8 0	0 0 0
" Jubbulpore	7,440 0 0	9,386 0 0	1,946 0 0	0 0 0
" Nursingpore	5,863 0 0	5,775 0 0	0 0 0	88 0 0
" Hoshungabad with Hurda Hindia	9,601 8 0	9,586 0 0	0 0 0	15 8 0
" Dumoh	3,598 3 0	4,968 0 0	1,369 13 0	0 0 0
" Seonee	3,496 8 0	4,370 0 0	873 8 0	0 0 0
" Baitool	4,034 0 0	4,569 0 0	535 0 0	0 0 0
" Mundlah	3,503 0 0	3,227 0 0	0 0 0	276 0 0
Total...	99,731 3 2	96,117 5 4	7,748 13 0	11,362 10 10
			Decrease ...	3,613 13 10
Deduct assigned to increase Establishment of Inspector of Prisons ...				25 0 0
			Net Decrease ...	3,588 13 10

* 24 Original Statements.

† See Statements Nos. I. III. and V.

2. It is believed however that notwithstanding the reduction above shown, " every " branch of the administration will be found to be placed on a footing of permanent " efficiency."

3. But you will observe that the proposition to increase the allowances of district officers referred to you in my predecessor's letter above cited, has been provisionally entered here, " so that," the Lieutenant-Governor remarks, " the saving above stated is what remains even after providing for that increase."

4. It is proposed, you will also observe, to debit a portion of the general expenditure to the Gwalior Government on account of the management of those pergunnahs which have been transferred to the charge of officers in the Saugor Division. The principle, it is stated, laid down by the Lieutenant-Governor for the guidance of the local authorities, has been that whenever any establishments heretofore maintained solely and specially for Scindia's pergunnahs are now abolished as unnecessary, the saving accruing from such reduction shall wholly be credited to him, and that after allowing him the benefit of every such reductions, he should be debited with a share of the total expenditures of the Province, with the administration of which that of his pergunnahs is incorporated, calculated upon the revenue of these pergunnahs as compared with the revenue received by the British Government, which may be explained uuder the following rule :—*

5. As total revenue is to the expense of office of supervision, so is the revenue paid by Scindia to his share. Calculating under this rule Scindia's share is shown to be rupees 14,188-12 3, or rupees 10,74-9 less than he now pays.

6. This considerable diminution in the monthly charge to the Maharajah which he will hereafter pay, is, the Lieutenant-Governor observes," precisely the same sum as would be incurred by the British Government if the sovereignty of those Pergunnahs were transferred to it.

7. You will moreover observe that the cost of the proposed establishments bears to the land revenue of the Division, the proportion of 1 to 5 as shown in the margin, which the Lieutenant-Governor says " cannot be considered otherwise than moderate, " seeing that the extent of area and scantiness of the population render the collection of revenue and the provision of an adequate police force proportionably more costly than when the cultivation is more continuous and the villages less scattered among hilly and forest wastes than in these territories.

Land revenue of the Division	46,16,346
Monthly cost of Establishment	84,050
Annual cost ...	10,08,600

8. You will observe in conclusion that the strength of the establishments of police burkundazes and tuhseel chuprasees have been kept up at a scale higher than in the Regulation Provinces under the N. W. Provinces Government, both on account of the large areas of the Saugor and Bundlecund Districts, and of their being greatly intermixed with and surrounded by the territories of many independent chiefships, the salaries of the superior police officers having been calculated on the scale which is now, it is stated, nearly completely introduced throughout the North Western Provinces.

9. I am desired to inform you that the Governor-General in Council has been pleased to sanction the above revision as a temporary measure, (saving and excepting

* See Statement No. II.

the increase to district officers already referred to you,) subject to report at the expiration of one year, and desires that you will meanwhile take the subject into consideration, and favor this Government with your views in respect to it.

I have the honor to be,

SIR,

Your most obedient servant,

E. DRUMMOND,

Officiating Secretary to the Government of India.

Fort William, the 15th August 1856.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

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APPENDIX No. 653

Saugor and Nerbudda Territories.

No. 921 *A of* 1856.

From

C. B. THORNHILL, Esquire,
Officiating Secretary to the Government, North Western Provinces,

To

C. BEADON, Esquire,
Secretary to the Government of India,

HOME DEPARTMENT,
Fort William.

Dated Head Quarters, Nynee Tal, *the 2nd July* 1856.

JUDICIAL DEPARTMENT.

Sir,

I am directed by the Lieutenant Governor to transmit, for the purpose of being laid before the Right Honorable the Governor General in Council, the documents enumerated in the appended list, shewing the final results of a detailed revision of the Revenue and Judicial Establishments in the Districts comprised in the Saugor Division, which has been for a considerable time in progress.

2. On the occasion of the Lieutenant Governor's tour through the Saugor and Nerbudda Territories in the season 1854—55, it appeared to him that while the establishments of the Jaloun and Jhansi Districts were unnecessarily large, those in the majority of the other Districts in the Division were clearly greatly too limited to be able to perform the duties expected from them, with efficiency. He therefore directed the Commissioner to prepare a revised schedule of executive establishments, such as, in communication with the local Officers, might be found adequate to the requirements of each district.

3. The details of the several districts have been carefully considered, and explanations have been called for from the local authorities, wherever the proposals submitted appeared to differ from the scale which obtains in other parts of the country.

*Total reduction per mensem Rs.	3,588	13	10
Of which will be credited to the British Government	2,514	4	10
To Scindia's Government	1,074	9	0

4. The Financial result of the measure now recommended for sanction is to effect a net reduction of the present monthly expenditure, as noted in the margin.* At the same time, every branch of the administration will, it is believed, be found to be placed on a footing of permanent efficiency. In the schedules now prepared, the increased allowance to the District Officers which was applied for in Mr. Secretary Muir's letter to your address, No. 2018, of the 14th September 1855, is provisionally entered, so that the saving above stated is what remains even after providing for that increase.

5. The causes which led to the Jaloun District being provided originally with a more extensive establishment than it is now found necessary to maintain were, doubtless, the then unsettled state of the country, both locally and within the limits of the Native States in the neighbourhood. Jhansi has been only included within the British dominions since 1854, and its es-

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tablishments have been hitherto on merely a temporary and experimental footing. Reduction of establishments throughout these tracts is now the more easy, because there is an unbroken extent of British jurisdiction running through all the Districts from the Jumna frontier of Jaloun, to the borders of Seonee and Nagpore.

6. In adjusting the proportion of the general expenditure to be hereafter debited to the Gwalior Government on account of the management of those pergunnahs which have been transferred to the charge of Officers in the Saugor Division, the principle laid down by the Lieutenant Governor for the guidance of the Local Authorities has been, that whenever any Establishments heretofore maintained solely and specially for Scindia's pergunnahs, are now abolished as unnecessary, the saving accruing from such reduction shall wholly be credited to him; and that, after allowing him the benefit of every such reduction, he should be debited with a share of the total expenditure of the province with the administration of which that of his pergunnahs is incorporated, calculated upon the revenue of those pergunnahs as compared with the revenue received by the British Government. There is nothing in the extent of area or character of the population of the pergunnahs managed for the Maha Raja, which renders it necessary to adjust the relative ratios of charge otherwise than according to the respective amounts of revenue yielded by those, or by the British pergunnahs.

7. Under this rule, the considerable diminution in the monthly charge to the Maha Raja, which is above shewn in the margin of paragraph 4, will be made, and he will hereafter pay precisely the same sum as would be incurred by the British Government if the sovereignty of those pergunnahs were transferred to it.

8. The opportunity has been taken of this general revision of Establishments, to introduce a valuable improvement in the Civil Judicial administration of the Jaloun, Jhansi and Chundeyree Districts. The system of Pergunnah Courts which has been reestablished in those quarters, has not worked as satisfactorily as had been hoped for. Moonsiffs will be appointed, the salaries of whom, with their Establishments, will be more than covered by receipts from Stamps now to be imposed on Bonds, Deeds &c., and (while they may be retained on such papers in other parts on the country) on legal documents, exhibits &c. These Moonsiffs and the Court generally will be guided by a brief and simple set of rules (founded on the principles as to attendance of parties, and other points which are now universally recognized,) that has recently been issued by the Lieutenant Governor for the guidance of the Courts subject to the authority of the Civil Judge of Saugor.

9. The Lieutenant Governor does not deem it necessary to encumber and complicate the details now submitted, by describing the territorial exchanges which have been effected with a view to the equalization of the area and revenue of the Jaloun and Jhansi Districts. The Statements appended will indicate the general results; and regarding these statements, I am directed to offer the following explanatory remarks.

10. Statement No. I. exhibits, in abstract, the total cost of existing Civil Establishments of every kind, in the Saugor Territories, with the scale now proposed, shewing a net decrease of Rupees 3,588-13-10. Statement No. II. explains the manner in which the adjustment of the charges debitable to the British and to the Gwalior Government has been made upon the land revenues of their respective territories. The whole of Scindia's Pergunnahs are debited with a rateable proportion of the cost of supervision exercised by the Commissioner. Those under the Sessions Judge of Saugor and Superintendent of Jaloun and Jhansi, have respectively been charged with a proportion of the Superior Judicial offices to which they are subordinate; and, lastly, the Gwalior Territory lying within the districts of Saugor, Jaloun and Hoshungabad, and managed by the Executive officers of those districts, are debited with a proportion of the general expences of the districts in which they are contained.

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Saugor and Nerbudda Territories.

11. It will be observed that the entire cost of the Principal Sudder Ameen's Court for Jaloun and Jhansi, is defrayed by the British Government; an arrangement which is proposed in consideration of the income derived from the sale of stamps to the suitors in that Court being solely credited to that Government.

12. Statement No. III. exhibits, in abstract, the present and proposed cost of Establishments, under the heads of Revenue, Judicial, Jail and District officers. The entries under the head of existing Jail expences are, however, incorrect, as the prisoners are at present guarded by Police Burkundauzes, who are borne on the Police rolls, and the actual cost for each Jail is therefore much larger than is here shewn, but appears in the total of the Judicial expenditure with which it is so mixed up as to render an exact separation impracticable.

13. The subject of the Establishments required for the Jails has been considered by the Inspector General of Prisons, and the scale now adopted is that which was recommended by that officer after local investigation and enquiry. At Oraie, the Head Quarters of the Civil authorities in the Jaloun District, the Jail was so small and ill constructed as to render it quite inadequate and unfit for the accommodation of the prisoners. To avoid the large outlay which the erection of a new and sufficient prison would have involved, the long term prisoners have been transferred to the Central Prisons of Allahabad and Agra, and a small jail erected for those under short sentences. The establishment now proposed is, therefore, on a proportionably limited scale. The same remarks apply also to Jhansi.

14. Statement No. IV compares the Land Revenue of each District with the cost of the proposed Establishment, which cannot be considered otherwise than moderate with reference to the extent of area and scantiness of the population, which render the collection of Revenue and the provision of an adequate police force proportionably more costly than when the cultivation is more continuous, and the villages less scattered among hilly and forest wastes, than in these territories.

15. Statement No. V gives, in greater detail, the proposed Establishments for each district, and appears to call for no comment beyond the explanation that, in the Jaloun and Jhansi Districts, the administration is conducted without the aid of Covenanted officers as Assistants, and that Deputy Collectors, with the full powers of Deputy Magistrates, have charge of local Sub-Divisions in these districts, and are posted at the large towns mentioned in the Lists, at a distance from the residence of the Superior officers of their Districts. The charges on account of the salary of the Civil Surgeon or Officer in Medical charge, appears in some of the district Schedules, while other districts under the separate charge of a Civil Medical officer, do not shew this item of expense. It has been thought preferable to retain the schedule as submitted by the Local officers in these cases; as the exhibition of any such charge on both sides of the account would not affect the calculations upon which the reduction of expenditure now shewn is based.

16. The strength of the establishments of Police Burkundauzes and Tahseel Chuprassees has been kept at a scale higher than in the Regulation Provinces under this Government, both on account of the large areas of the Saugor and Bundlecund Districts, and of their being greatly intermixed with, and surrounded by, the Territories of many independent chiefships.

17. The detailed Statements of existing Establishments are submitted in original, as received from the Local Officers, for reference as may be thought necessary, as well as similar statements of the revised Sudder Establishments of three Districts (Jhansi, Jubbulpore and Nursingpore,) as specimens of the strength of those Establishments assigned both to the larger and smaller Districts of the Division. The salaries of the Superior Police Officers have been calculated in this revision, on the scale which is now nearly, and will soon be completely introduced throughout the North Western Provinces.

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Saugor and Nerbudda Territories.

THANNADARS.

About one-third at 60 Rupees,
About two-thirds at 40 Rupees, a month.

OUT POST JEMADARS.

About one-third at 20 Rupees,
About two-thirds at 16 Rupees, a month.

MOHURRIRS.

At Rupees 12 and 10 a month.

THE JEMADARS AT THANNAHS.

At 10 Rupees a month.

DUFFADARS, AND OCCASIONALLY MUDDUTGARS.

At 6 Rupees a month.

18. The Establishments now submitted for sanction are those intended for the permanent administration of the Districts in question. The Extra survey and settlements have been separately authorized by the Governor General in Council.

Head Quarters,
NYNEE TAL,
the 2nd July 1856.

I have the honor to be, &c.
(Signed) C. B. THORNHILL,
Officiating Secretary to Government,
North Western Provinces.

No. 1140.

Remark by the Secretary in the Home Department. No objection. Forwarded to the Financial Department for consideration and orders.

HOME DEPARTMENT,
the 21st July 1856.

By Order, &c.
(Signed) R. B. CHAPMAN,
Officiating Under Secretary.

(A true Copy)
E. DRUMMOND,
Officiating Secretary to the Government of India.

APPENDIX No. 634

Province of Pegu.

No. 58.

(Copy.)

JUDICIAL.

Government No. 133, *of* 1856.

From

MAJOR A. P. PHAYRE,

Commissioner of Pegu and Agent to the Governor General.

To

G. .F EDMONSTONE, Esquire,

Secretary to the Government of India.

Foreign Department, Fort William.

Dated Henzada, *the* 16*th June* 1856.

Sir,

Having lately considered that the salaries of some of the Officers in Civil employ in the Province of Pegu are fairly capable of reduction, I beg to submit a schedule (A,) showing in detail the reductions recommended. These I should have submitted for the orders of the Right Honorable the Governor General in Council, through the Commissioner for the revision of Civil salaries and establishments throughout India, but that I likewise purpose recommending some alterations in the present classification of the Officers in Civil employ, which are set forth in statement marked (B,) and which I considered it proper to submit direct for the orders of Government.

2. The proposed alterations in salary are but few. The first is that it is proposed to reduce the salary of the Assistant Commissioner at Pegu from 600 Rupees to 500 Rupees. When the first named sum was fixed upon, it was supposed that the ancient capital of the country might become a place of some importance. It is now evident that this is not likely to be the case, and I see no reason why the Assistant there should receive more than other Assistant Commissioners. I therefore request sanction to this reduction.

3. The Boat allowance of the Deputy Commissioner of Prome may fairly be withdrawn. It is only in the Delta of the Irrawaddy, or near to it, where rivers and creeks are the highways, that Boat allowance is required. The same remark applies to the boat allowance of the Two Assistant Commissioners stationed in the Prome district.

4. The district of Henzada when originally made a Deputy Commissionership of Rupees 1,000 a month, comprised the present district of Tharawaddy, in addition to the rest of the territory now contained within its boundary. Tharawaddy was made a separate district by order of Government contained in letter to my address No. 2954, dated 7th July 1854. I think that Henzada may now properly be put in charge of a Deputy Commissioner of the second Class, with a salary of Rupees 800 per mensem, and Boat allowance of 80 Rupees.

5. The saving to Government by the proposed arrangement will be as follows,

Present amount of	
Salaries and allowances.	Rs. 14,010
Proposed amount do. do.	„ 13,470
Difference saved monthly	Rs. 540

6. In conclusion, I would beg respectfully to recommend, that the reductions here recommended may not be made applicable to present incumbents.

Pegu
Commissioner's Office.
Henzada,
The 16*th June* 1856.

I have the honor to be, &c.,
(Signed) A. P. PHAYRE.
Commissioner of Pegu and Agent to the Governor General.

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APPENDIX No. 635
Province of Pegu.

No. 8. *A.*

GENERAL.

From

MAJOR A. P. PHAYRE,
Commissioner of Pegu and Agent to the Governor General,

To

H. RICKETTS, ESQUIRE,
Commissioner for the revision of Civil Salaries and Establishments throughout India.
CALCUTTA.

Dated Camp at PHALOON *District of* RANGOON,
15*th January*, 1857.

SIR,

I have the honor to acknowledge the receipt of your letter No. 552, dated the 4th October last, and for the delay in replying to which, I beg to offer many apologies.

2. Considering the peculiar circumstances of Rangoon, its being a Seaport town with numbers of Seamen constantly therein, a resident population of about 40,000 souls, a great deal of jungle in the vicinity which affords shelter to bad characters, I am of opinion that the Magistrate should be an Officer having the full powers of a Deputy Commissioner, and I think it better that he should be responsible to the Commissioner direct as heretofore. I have indeed some time ago recommended to Government that he should be styled a Deputy Commissioner of the Second Class.

3. The Assistant Magistrate I should recommend to be retained as at present. It is intended that the Jail at Rangoon shall be made a receiving jail from the other districts of the Province of Pegu. This will render the charge much more onerous than it is now. I am also endeavouring to introduce the system of manufactures into the Jail, which system requires close attention to ensure success. This measure and a due Superintendence of the Police, cannot be maintained without the undivided attention of two Officers to the town of Rangoon. For the Deputy Commissioner, I have, in consequence of the pressure of work in his Office, been obliged to call in the Assistant Commissioner from the Town of Pegu to prevent the accumulation of arrears.

4. With reference to the scale of salaries for the several districts in Pegu, proposed in Paragraph 3 of your letter under reply, I beg to state as follows:—

The Deputy Commissioner of Rangoon I certainly consider will not be overpaid at 18,000 Rupees a year. The duties are very heavy at that Port, and the place is more expensive than any I know in India, not excepting Calcutta.

Prome and Henzada would be well paid at Rupees 12,000. But the district Officer at Bassein, I beg to state, should receive not less than Rupees 14,400 or 1200 Rupees a month. That district is rapidly increasing its Revenue, and when the Port of Dalhousie is fully established,

will undoubtedly progress more. Tharawaddee once so turbulent, is advancing with rapid strides, and the District Officer should receive Rupees 10,800. Toungoo, I think, may remain at Rupees 8,400.

5. I believe the rates of salary for all Officers to the Eastward, were originally fixed at a lower standard than elsewhere, in consequence of doubts existing when the Provinces were first occupied, as to the amount of revenue likely to be realized. When the Province of Pegu was first annexed, I considered that it would take five years to raise a Revenue of 25 lacs of Rupees, and I recommended that the salaries of the District Officers should generally be the same as in Arakan. My anticipations have however been surpassed. The third year has seen the Revenue rise to thirty lacs, and the present or the fourth year will probably see it amount to thirty four.

PEGU
Commissioner's office,
CAMP AT PHALOON,
District of Rangoon,
The 15th January, 1857.

I have the honor to be,
Sir,
Your most obedient Servant,
A. P. PHAYRE,
Commissioner of Pegu and Agent to the Governor General.

APPENDIX No. 636

Province of Pegu.

No. 8, *B.*

GENERAL.

From

MAJOR A. P. PHAYRE,
Commissioner of Pegu, and Agent to the Governor General.

To

H. RICKETTS, ESQUIRE.
Commissioner for the revision of Civil Salaries throughout India,
CALCUTTA.

Dated Camp at PHALOON, *District of* RANGOON,
the 15*th January,* 1857.

SIR,

I have the honor to acknowledge the receipt of your letter No. 555, dated the 7th October last, transmitting to me copy of a letter No. 556 of the same date, addressed to the Commissioner of the Tenasserim Provinces, detailing a system proposed for the management of the Tenasserim Provinces.

2. I should venture to recommend that the Magistrate of Maulmain, should be responsible only to the Commissioner of the Province. I think it will leave him less fettered than he otherwise would be and consequently render him more efficient.

3. Having lately addressed you regarding the powers of each functionary in Civil and Criminal cases in the Province of Pegu, which powers I consider should also be exercised by officers of the same grade in the Tenasserim and Martaban Provinces, I will not enlarge upon that subject.

PEGU
Commissioner's Office,
PHALOON,
District of Rangoon,
The 15*th January,* 1857.

I have the honor to be,
SIR,
Your most obedient Servant,

A. P. PHAYRE,
Commissioner of Pegu, and Agent to the Governor General.

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APPENDIX No. 637

Province of Chota Nagpore.

No. 188.

From

The Commissioner of Chota Nagpore,

To

A. W. RUSSELL, Esquire,
Under Secretary to the Government of Bengal,
Fort William.

Dated Camp, Chootea, *the* 10*th January,* 1855.

Sir,

With reference to the 2nd paragraph of your letter No. 3081, dated the 19th Ultimo, I have the honor to represent that I have consulted the Deputy Commissioner about the proposition for the abolition of the Principal Sudder Ameenship at Golah, and the appointment of an Assistant Commissioner at the station of Chota Nagpore and Hazareebagh.

2. The Deputy Commissioner and I are of opinion that it would be advantageous to abolish the Principal Sudder Ameenship both at Golah and Maunbhoom, and to appoint an Assistant Commissioner to each of the Districts of Lohardugga, Hazareebagh and Maunbhoom.

3. Baboo Tarucknath Sen, the Principal Sudder Ameen of Maunbhoom, has been desirous for a long time of being transferred to some other station; and I know that any arrangement which would lead to his being provided for elsewhere, would be acceptable to him.

4. We propose that the salary of each Assistant Commissioner (or the official designation might be Sub Assistant Commissioner, as in Assam,) should be Company's Rupees 300 per mensem, and that an establishment, at 150 Rupees a month, should be allowed to each Officer. The monthly cost of the two Principal Sudder Ameens' Courts is at present Company's Rupees 1,100;* the monthly charge of the three Courts would be Company's Rupees 1,350.†

5. These Assistant Commissioners should assist the District Officers in every Department; and their powers, which ought to be defined by an order of the Government, might be extended, at pleasure, to the full powers of a Joint Magistrate, Deputy Collector and Principal Sudder Ameen.

6. The Assistants in charge of these three Divisions have, and have had for some time, more work on their hands than they can perform satisfactorily; the Hazareebagh and Maunbhoom Assistants, particularly, are very much overburdened with business; the latter will soon be deprived, in a great measure, of the services of his Uncovenanted Deputy Collector, when Baboo Kalidass Pundit is placed in charge of the Hazareebagh Abkarree Mehal in addition to his present Abkarree duties.

*Personal salary of Principal Sudder Ameen at Golah ..	400
Establishment	150
Personal salary of Principal Sudder Ameen of Maunbhoom	400
Establishment	150
Per mensem Rupees	1,100

†Personal allowance of 3 Assistant Commissioners at Rupees 300 each...	900
Establishments of 3 Assistant Commissioners at Rupees 150 each.	450
Per Mensem Rupees	1,350
Increase Rupees	250

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7. This proposition involves an increase of expense amounting to 250 Rupees per mensem. For this we should have three Courts instead of two, and each of the new Courts ought to be more efficient and better adapted to the wants of the people than the old ones. In fact, however, the actual total increase in the cost of the Establishments of this Commissionership will only be 50 Rupees a month; for the Government having been pleased lately to sanction the appointment of an Uncovenanted in lieu of a Covenanted Assistant, there will be a monthly saving of 200 Rupees from this arrangement.* The increase of expense is indeed trifling, but I feel assured that it will be a very profitable outlay. The efficiency of the administration of these three Divisions will be much improved thereby.

8. I do myself the honor herewith to submit a copy of the Deputy Commissioner's letter† on this subject; and, with reference to its last paragraph, to observe, that I quite concur with him in thinking that the procedure of the Civil Courts in this Territory requires simplification.

9. The code of procedure of the Civil Courts of the Regulation Provinces, I believe, will be amended shortly; and it is not improbable that the new code may be found somewhat more suitable to this part of the country than the existing one. But for the present, till something better can be done, it would be good, I think, to simplify at once the proceedings of the Civil Courts in this Commissionership to the extent of making a plaint and an answer the only pleadings required in a Civil suit, leaving to the presiding officer of every Court the power to call for and receive additional pleadings whenever necessary for the ends of justice.

10. The Mooktears and Law Agents in the Courts in these parts are profoundly ignorant of the Law and of the first principles of Civil Jurisprudence. They can say all they have to say, or rather all they are capable of saying, in a plaint and answer; all else is mere idle surplusage leading to delay, expense and extortion.

11. It certainly is altogether inexpedient to introduce the complex and cumbersome procedure of the Regulation Law Courts into the Courts of the Assistant Commissioners now proposed; which ought to be made places where the people will require no crafty lawyer to plead their cause, and where they will find cheap, prompt and intelligible justice.

I have, &c.

(Signed) W. J. ALLEN,
Commissioner of Chota Nagpore.

* Salary of Covenanted Assistant 500
Do. of Uncovenanted. 300
Saving Company's Rs. 200

†No. 2, dated 6th January 1855.

No. 1877.

Proceedings, 20th September 1855. *No.* 235.

EXTRACT FROM THE PROCEEDINGS OF THE HONORABLE THE PRESIDENT OF THE COUNCIL OF INDIA IN COUNCIL, IN THE FINANCIAL DEPARTMENT, UNDER DATE THE 11TH MAY 1855.

Read an Extract from the Home Department No. 558, dated the 20th Ultimo, forwarding, for consideration and orders, a letter No. 504, dated the 22nd March last, with its enclosures, from the Government of Bengal, recommending for sanction a proposition by the Commissioner of Chota Nagpore for abolishing the appointments of Principal Sudder Ameens at Golah and at Maunbhoom, and employing in lieu of officers of that class, three "Sub Assistant Commissioners," corresponding in position with Officers of the same designation in Assam, in the three districts of Hazareebagh, Lohardugga, and Maunbhoom.

APPENDIX No. 637

Province of Chota Nagpore.

OBSERVATION.

The Honorable the President in Council observes that from the papers submitted, and the report made thereon by the Goverment of Bengal, it appears that the Principal Assistants in charge of the districts of Hazareebagh, Lohardugga, and Maunbhoom, have for some time been in great need of assistance to enable them to dispose of satisfactorily the general duties devolving upon them; that of the junior assistants at present attached to the Nagpore Division, one is in charge of the out station of Koruda, one is an assistant at the Sudder station, and the third is in charge of the Grand Trunk Road, Sub Division of Govindpore, and that of these Officers, it will probably be necessary at an early period to remove at least the Assistant who is employed at the Sudder station, with a view to meet the urgent demand which at present exists for the services of Covenanted Assistants in the Regulation Districts. The Government of Bengal further observes that the number of Officers employed in this Division is less than half the number of the same class employed in Assam; that it appears highly desirable that the Officers in charge of the principal districts should each have one Assistant to relieve him of a portion of his less responsible duties, and to try cases of a simple character in the Criminal and Revenue Departments of the office, and that the increase of expense involved in the measure, after deducting the cost of the Principal Sudder Amcens' Establishments, will be Rupees 250 a month; which will be reduced to Rupees 50 per mensem, by the appointment on the Establishment of the Commissioner, of an Uncovenanted servant on Rupees 300 per mensem, in lieu of a Covenanted Assistant on Rupees 500, as lately sanctioned.

RESOLUTION.

Under the exposition submitted by the Government of Bengal, the Honorable the President in Council is pleased to accord his sanction to the arrangements proposed by the Commissioner of Chota Nagpore.

ORDER.

Ordered that a copy of the above Resolution be sent to the Home Department for communication to the Government of Bengal, and that the papers noted in the margin* be returned.

Ordered also, that a Copy of this Resolution be sent to theCivil Auditor for his information and guidance.

(A true Extract)

(Signed) C. H. LUSHINGTON,

Secretary to the Government of India.

*Letter from Under Secretary, Government of Bengal, No. 504, dated 22nd March 1855, with enclosures.

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APPENDIX No. 638

Province of Chota Nagpore.

No. 1583

October 18th 1856

To

The Commissioner of Chota Nagpore.

In comparing the work in your office with the work in other Commissionerships, I find that it is but one eighth of the work in one office, and one fourth of the work, in several others. The business of the Commissionership and the Deputy Commissionership together does not equal the business in some of the Punjab Commissionerships.

You are aware that the resources of the whole Division do not equal those of an ordinary third class District in the Punjab and the North Western Provinces. Under such circumstances, it is very necessary that all the establishments should be on a footing as economical as is consistent with the provision of Courts sufficient for the wants of the people.

The salary of your office may be reduced to Rupees 24,000 whenever you may leave it; and if it be practicable, the office of Deputy Commissioner should be abolished. Though, as I have said, the *cases* in your office are few, I am aware that the time of the Commissioner is much occupied with miscellaneous business connected with the Tributary Mehals, which is sometimes of a very troublesome nature, and requires much careful attention. I do not think your successor could take the whole of the duties performed by the Deputy Commissioner.

But the Principal Assistant of Lohardugga must also have spare time; and the question to be solved is, how the business now performed by the three could be divided between two officers.

I would introduce a system partaking of the Punjab and Assam systems. Give all officers authority in all departments; allow trial of criminal cases on a view of the record of the District Officer; and increase the powers of the Moonsiffs and Sudder Ameens.

This change alone would not provide the aid necessary for the Commissioner on the abolition of the Deputy Commissionership. This may, I think, be accomplished in this way. The Principal Assistant or District Superintendent of Lohardugga, will always be an officer of considerable experience. I would increase his salary to 14,400 rupees per annum, and give him the authority of a Civil and Sessions Judge for the Districts of Maunbhoom and Singbhoom. He would do all the work of his own district with suitable assistance, and take the Sessions duties and the Civil appeals for these districts besides. With this relief, I think the Commissioner would be able to take the Civil and Sessions trials of Lohardugga and Hazareebagh.

I request that you will have the goodness to take this scheme into your consideration, and give me a list of the officers you think would be necessary in each district, to carry it out; and, at the same time, a list of those now employed, in order to easy comparison. Of course the list should shew the pay of each person.

Share &c.
(sd) H. Ricketts
Commr for Salaries &c.

2300.

APPENDIX No. 63.
Province of Chota Nagpore.

No. 122.

From

The Commissioner of Chota Nagpore,

To

H. RICKETTS, Esquire,

Commissioner for the revision of Civil Salaries and Establishments throughout India.

Fort William.

Dated, Chota Nagpore, *the 20th December,* 1856.

Sir,

I do myself the honor to acknowledge the receipt of your letter No. 583, dated the 18th of October last, forwarding, for my consideration and opinion, a scheme for the abolition of the Office of Deputy Commissioner of Chota Nagpore.

2nd. I have given to this project my most attentive and deliberate consideration. I fully recognise the necessity of reducing the public expenditure in this Province, as well as elsewhere, to the lowest figure that is compatible with the requirements of the public service and the wants and wellbeing of the wild and simple tribes that lie scattered over this extensive tract of country.

3rd. The scheme proposed I understand to be this. The Deputy Commissionership is to be abolished, and the duties of that office, which have been demonstrated to be about equal to those of the Civil and Sessions Judge of Cuttack, are to be divided between the Commissioner and the Assistant Commissioner at Loharduggah.

4th. The Commissioner, in addition to his present duties, is to undertake the duties of a Civil and Sessions Judge in the Divisions of Hazareebagh and Loharduggah; and the Assistant Commissioner at Loharduggah, besides the management of his own extensive District, is to be required to exercise the powers of a Civil and Sessions Judge in the Division of Maunbhoom and Singbhoom.

5th. It seems to be admitted that the Commissioner and the Loharduggah Assistant Commissioner, will be unable to perform these very onerous extra duties, if the work is to be done according to the system which is now in operation in this Province. It is therefore proposed to give relief to these Officers by introducing "a system partaking of the Punjab and Assam systems," by giving "all Officers authority in all Departments," by allowing "trial of criminal cases on a "view of the record of the District Officer;" and by increasing the powers of the Moonsiffs and Sub-Assistant Commissioners. In this Commissionership there is no Sudder Ameen.

6th. The scheme contemplates a very large increase to the work of the Commissioner, and a considerable reduction of his salary; the Assistant Commissioner at Loharduggah is to be the Civil and Sessions Judge of two Districts containing an aggregate population of about a million of souls, and is to receive an addition to his salary of 2,000 Rupees per annum.

APPENDIX No. 65

Province of Chota Nagpore.

7th. I have nothing to say regarding the proposed increase or decrease of salaries; but it seems to me deserving of consideration, whether the de facto Ruler of this immense Province, which extends from Behar to Ganjam, and from Jubbulpore to Midnapore, ought to be worse paid than a Commissioner of a Division in the Punjab; and whether 2,000 Rupees per annum is an adequate remuneration for the performance of the duties of a Civil and Sessions Judge in two extensive Districts. In my opinion, salaries and Establishments should be fixed, not according to the amount of Revenue raised from a Province or a District, but according to the nature of the services required, and the degree of responsibility attached to the Office.

8th. My predecessor, Mr. J. H. Crawford, has represented to the Government, more than once, the very onerous nature of the duties of this Office. Since then, I think I can safely assert that the business has increased twofold, and there appears to be every prospect of a still further increase, particularly from the Sumbulpore Division.

9th. Since Mr. Crawford's time, this Office has been called upon to perform all the duties of a Commissioner of Revenue of the Regulation Provinces. The provisions of Act XXXIII of 1854, have been put in force, and all Judicial and Revenue orders and decisions are now written in English by the Commissioner's own hand. In the time of my predecessor, almost all these cases were disposed of with a brief Vernacular proceeding.

10th. Formerly but very few Criminal trials belonging to the Tributary Mehals were reported to the Government; in my time many of these trials have been referred for the orders of Government. In all these cases an English Translation of the whole of the evidence is laid before the Government, and as in almost every trial thus referred the life of the prisoner is at stake, it is of the last importance that these translations should be prepared with the greatest care and correctness. The revision of these translations occupies a considerable portion of the Commissioner's time.

11th. Formerly witnesses were never examined in the Commissioner's Court in cases sent up for trial by the Tributary Chiefs. I have found by experience that it is unsafe to trust too much to the proceedings of the Chiefs, and have, in consequence, examined all the principal witnesses in the most heinous cases myself.

12th. I mention only a few instances to show how business has increased in this Office during the last three years; but there seems to have been a general and progressive increase of business in almost every Department of this Office.

13th. Such was the pressure of business in the time of my predecessor, that he was occasionally obliged to transfer some the Civil Appeals of the Singbhoom Division to the Deputy Commissioner for decision; and on one occasion I have been compelled to follow the same course.

14th. In my opinion, it is highly inexpedient in this Province to try all heinous Criminal cases on a view of the record of the District Officer. Under such a system, which would, I am satisfied, be very distasteful to the people, there would infallibly be many miscarriages of justice.

15th. I have lately had two Military Officers placed in charge of two important Divisions, who had never been in Civil employment before, and who knew nothing at all about the administration of Civil or Criminal Justice. Would it be safe to entrust an inexperienced Officer of the army, taken from his regiment by interest and favor, to prepare the record of a case of murder for a Judge residing at a distance? It would be wiser, it would be more honest, in my humble opinion, not to pretend to administer justice at all, than to have resort to an expedient fraught with so much danger to the lives and liberties of the people.

16th. Under the existing system, inexperienced Officers must be occasionally placed in charge of Districts. There is now no Junior Assistant Commissioner attached to this Office, who is learning his duty and preparing himself to take charge of a Division. When a Military Officer is appointed to the Commission, he comes straight from the army, and is at once placed in charge

of a Division or a Sub-Division, and he learns his duty by making judicial and fiscal experiments upon the people.

17th. It is, in my opinion, highly inexpedient in this part of the country, to increase the Civil and Criminal powers of the Moonsiffs and other Native Judicial Officers, and nothing, I think, is more likely to lead to discontent and disturbances than investing Native Officers, placed at a distance from their European superiors, with large Civil and Criminal powers.

18th. I have recently had before me a case in which Baboo Preonath Surma, the Moonsiff of Maunbhoom, behaved in a most arbitrary and unjust manner to the inhabitants of Maunbazaar. Had this Bengallee Judge played the same pranks in some of the wilder parts of this Province, it is not improbable that serious consequences might have ensued; for the bold and manly mountaineers of these parts will not endure the tyranny and insolence of a Bengallee Baboo, even though clothed in a little brief authority.

19th. After a three years' experience of the duties of this Office, I have no hesitation in affirming that it is quite impossible for any person to perform the duties of a Civil and Sessions Judge of the Lohardaggah and Hazareebagh Divisions in addition to the duties of the Commissioner's Office. I can conscientiously assert that I have led a very laborious official life since I have been here; and notwithstanding, I have been compelled to leave much undone which I have wished to do, and I have not had the leisure to consider and carry out more than one project of improvement which I had formed.

20th. I may add that there is a good deal of business in this Office which cannot be shown on a statement, but which nevertheless is important, and occupies much time. It is absolutely necessary that the Commissioner should be always accessible to the Native Chiefs and others, and the Province cannot be properly managed unless he is able to attend to a multitude of minor matters connected with the Native Chiefs, their families and their estates, which require his personal attention and intervention.

21st. In reference to the proposition for making the Assistant Commissioner at Lohardaggah a Sessions Judge in Maunbhoom and Singbhoom, I beg to state, that such an arrangement appears to me to be objectionable on principle. I think that the office of Civil and Sessions Judge of two Districts ought not to be united to the Magistracy and Collectorship of a third District. the duties of the three Offices are incongruous, and ought not to be placed in the hands of one Officer, even if he were capable of performing them with efficiency.

22nd. I have made a careful examination of the business in the Lohardaggah office for the last three years, and am entirely of opinion that it is utterly impossible for that Officer to be Civil and Sessions Judge in Maunbhoom and Singbhoom, and to discharge at the same time the multifarious duties of the Lohardaggah office. I am quite satisfied that the Lohardaggah Officer, has no "spare time," and that the business of that office is quite sufficient for any one Officer, whatever may be his health, capacity and industry. To impose upon him the proposed extra duties would, I think, be a great injustice to him and to the District over which he has been placed.

23rd. With reference to the concluding paragraph of your letter, I do myself the honor to submit a list of the Revenue and Judicial Officers employed in this Commissionership. I scarcely know what to say respecting the increase of Establishment that will be required to give effect to the scheme under consideration; for, in my opinion, it is not at all feasible, and cannot be carried out without causing much discontent, and without doing great injustice to the people of this large Province.

24th. The existing system has been in force and has worked well under considerable disadvantages, since the year 1843, the people have been quiet, and, I think, contented. During the Sonthal disturbances of 1855, there was much temptation to disturb the peace; but the wild

APPENDIX No. 6.

Province of Chota Nagpore.

people of these parts remained peaceful and obedient. And in April and May last, when the Khurruckdeah Sonthals were instigated to acts of violence by the malcontents of the neighbouring Sonthal Pergunnahs, the disturbances were promptly and efficiently suppressed with the assistance of the Zemindars and the people of the country.

25th. I respectfully, but very earnestly, advise that there should be no alteration in the existing system in order to try a doubtful and, I think, a somewhat dangerous experiment. The financial advantage to be obtained from this scheme will be but trifling, the risk incurred certainly will be great. To me it appears to be wise to let what is well alone.

26th. If, however, it should be determined to adopt this scheme, I think that a Covenanted Junior Assistant, who should be a Military Officer on a monthly salary of 500 Rupees, should be attached to this office; an increase also of the Native Establishment of the office will be required.

27th. The Assistant Commissioner at Lohardugga would require a Sub Assistant Commissioner with the full powers of a Magistrate and Collector, instead of the Sub Assistant Commissioner with the special powers now attached to his office. The services of the Sudder Moonsiff must be retained, and some additional Native Establishment would be indispensably necessary.

28th. I have taken the liberty to consult Captain W. H. Oakes, the Deputy Commissioner, and Captain J. S. Davies, the Senior Assistant Commissioner at Lohardugga, regarding the project under consideration; and I do myself the honor to submit herewith, in original, the letters* with which they have favored me on this subject, and which seem to me to be deserving of attention.

I have the honor to be,
Sir,
Your most obedient Servant,

W. J. ALLEN,
Commissioner of Chota Nagpore.

*Deputy Commissioner No. 62, dated 19th November, 1856. Senior Assistant Commissioner No. 208, dated 18th November, 1856.

APPENDIX No. 63
Province of Chota Nagpore.

No. 62.

To

W. J. ALLEN, Esquire,
Commissioner of Chota Nagpore.

Sir,

In reply to your letter No. 10, dated the 7th Instant, I have the honor to subjoin a memorandum of the official duties of the Deputy Commissioner, taking the average for the last 3 years.

Number of	Dewany cases disposed of	51
,,	Foujdarree Do.	259
,,	Dewany Miscellaneous Do.	302
,,	Foujdarree Do.	37
,,	Dewany Roobkarees written.	515
,,	Foujdarree Do.	1,549
,,	Dewany Perwannas issued.	18
,,	Foujdarree Do.	10
,,	Dewany witnesses examined.	1
,,	Foujdarree Do.	1,655
,,	Letters.	317
,,	Forms, Bills and other figured statements.	174

2nd. The above would appear sufficient for the employment of one individual. I would beg also to submit that, in looking at the work of the Deputy Commissioner's Office, the mere quantity of it is not the matter of the greatest importance. For the Criminal trials held before this Court, the charges are of the gravest nature, and the proceedings have of course to be conducted with the utmost deliberation, the life of the prisoners being, in very many instances, at stake. The amount of work also is considerable, as you will perceive by one item, no less than 1,655 witnesses having been yearly, on an average, examined before the Sessions.

3rd. In the Civil Department, the Deputy Commissioner's Court is the one of the last resort, in cases in which the amount in litigation exceeds 300 Rupees. It is therefore of the utmost consequence that the judgments in these suits, should be passed with the most nature deliberation, as there can be no appeal on the facts, a special appeal only lying to the Sudder Court. In actions in which property to the value of ten thousand Rupees is involved, the appeal has to be made to the Sudder Court, but these suits are of rare occurrence.

4th. It is proposed that the whole duties of the Deputy Commissioner's Office shall be divided between the Commissioner of Chota Nagpore, who is to be the Civil and Sessions Judge of Lohardugga and Hazareebagh, and the Principal Assistant at Lohardugga, who will discharge the same duties for Maunbhoom and Singbhoom. Of course, I am unable to say what leisure the Commissioner may have, but having myself had charge of the Lohardugga Division for upwards of seven years, I beg to state my opinion, that the Principal Assistant of that District has quite sufficient employment on his hands, at present, and that it is impossible for him, in addition, to

discharge the onerous and responsible duties of Civil and Sessions Judge of Maunbhoom and Singbhoom.

5th. It appears to me to be a matter requiring the greatest consideration, before all officers in such an uncivilized country as Chota Nagpore, are entrusted with authority, to any great extent, in all Departments. With such a wild population as is found in Singbhoom, the Southern part of the Lohardugga Division and Khurruckdea, &c., it would, I think, be prudent after what has lately occurred in the last named Pergunnah, to retain the administration of Criminal justice, except in very petty offences, in the hands of the Assistants and officers of the superior grades.

6th. With regard to allowing criminal cases to be disposed of on a view of the Record of the District Officers, I beg to record my most respectful, but at the same time, solemn protest against such an innovation. Few Officers, I imagine, who have been any length of time employed as Magistrates, but will be free to confess, that with every exertion on their part, it is in many cases a matter of the utmost difficulty to arrive at a satisfactory decision, owing to the facility with which false evidence can be obtained to any extent, even to the swearing away of an innocent man's life. If this be so, when the officer has the incalculable advantage of having all the parties before him, and cross-examining them as much as he may desire, how terribly will the difficulty be increased when the person who passes the final decision in the case, has nothing but the dry Record to guide him. If the proposition be carried out, I see reason to fear that judicial murders may now and then be perpetrated.

7th. This objection has almost as much weight in other trials coming before the Sessions.

8th. It should be remembered, that in this Commissionership it must inevitably happen, that officers of very slight or no Judicial experience, are placed in charge of Districts. When a prisoner is tried for murder before one of these inexperienced officers, and on the perusal of the record of the case by another officer a final sentence of life or death is passed, surely it can scarcely be said that the unfortunate prisoner has had as fair a chance for his life as he ought to have had.

9th. With due deference, I would beg to submit that it is hardly becoming that one individual should perform such incompatible duties as would devolve on the Principal Assistant at Lohardugga, were he also vested with the powers of Civil and Sessions Judges in Maunbhoom and Singbhoom. He would then discharge the functions of Civil and Sessions Judge of those two Districts, in addition to being Civil Judge, Magistrate, Collector, Abkarry superintendent, Post master and Secretary of the Government school in Lohardugga Division. It is hardly dignified, that he should be in a position to pass sentence of life or death one day, and the next morning, possibly, have to superintend the hanging of one of the prisoners of his own District. I cannot but think that if he had such incongruous duties to perform, his office would, in the eyes of the people, be looked on with something bordering on contempt.

10th. The Principal Assistant of a District, as I can testify from my long experience, can never calculate on a single uninterrupted hour. He would be liable in the midst of a Sessions case, at any moment to have his attention called off to any of his various duties; say, for instance, a prisoner of his own District is brought in who confesses to a murder, or a wounded man arrives "in extremis;" or the Dawk arrives, and the Packets have to be opened; or applications are made for Drafts from his Treasury. It is easy to conceive that with all, or any of these interruptions, it is impossible for him to give that calm and undivided attention to the Sessions case before him which is absolutely essential for the arriving at a just decision.

11th. If it should unfortunately be determined that the proposed scheme should be carried into effect, it is manifest that there must be delay in cases passing through the courts. It is my deliberate opinion, that the people are more dissatisfied with the delay which is inseparable from our mode of procedure, than with almost any thing else in the administration of our courts; and

APPENDIX No. 639

Province of Chota Nagpore.

I beg, therefore, respectfully to submit that any inconsiderable pecuniary saving should not, for a moment, be taken into consideration, when opposed to the speedy and efficient administration of justice to a District containing upwards of two millions of inhabitants.

12th. In conclusion, I beg to transcribe paragraphs 9, 12 and 13, page 6 in the selections No. 20 from the Records of the Bengal Government, being Reports on South West Frontier Agency by H. Ricketts, Esquire, C. S. member of the Board of Revenue.

"9. There is also a great deal of business in the office of the Deputy Commissioner. From "the beginning of 1850 to the end of 1852, he was employed 341 days in Sessions duties, and dis- "posed of 447 criminal appeals."

"12. In examining the correspondence, I observed that a few years ago the abolition of the "office of Deputy Commissioner was contemplated; but the returns of business in the offices show, "I think, very plainly, that at present there is not the remotest prospect of any such diminution "in the business of the offices as to encourage a hope, that at some future period one person "may be able to perform the duties now devolving on the two officers."

"13. The position of Major Hannyngton is very similar to the position of the Civil and "Sessions Judge of Cuttack and his duties are little, if at all, less onerous. The three Districts of "Hazareebagh, Purulia and Chota Nagpore, comprise a larger area, and contain more inhabitants, "than the three Districts of the Province of Cuttack;* and though the Civil Jurisdiction possessed "by the Principal Assistant may afford him some relief, the prevalence of the heinous crimes of "Dacoity and highway robbery, causes his trials to be heavier than the trials in Cuttack."

Deputy Commissioner's Office.
CAMP, HAZAREEBAGH,
The 9th November, 1856.

I have the honor to be,
Sir,
Your most obedient Servant,

W. W. OAKES,
Deputy Commissioner Chota Nagpore.

	Area.	Inhabitants.
*Purulia	7,896	772,340
Hazareebagh	12,444	667,585
Chota Nagpore	7,346	678,759
Total	27,686	2,118,684

	Area.	Inhabitants.
Pooree	2,697	500,963
Cuttack	3,061	900,000
Balasore	1,979	500,000
Total.....	7,737	1,900,963

2.308.

APPENDIX No. 659

Province of Chota Nagpore.

No. 208.

From

The Senior Assistant Commissioner, Lohardugga Division.

To

W. J. ALLEN, ESQUIRE,
Commissioner of Chota Nagpore.

Dated, CHOTA NAGPORE, *the* 18*th November,* 1856.

SIR,

I have the honor to acknowledge the receipt of your letter No. 126, dated 7th Instant, with enclosure, calling for my opinion upon the scheme proposed by Mr. Commissioner Ricketts for the abolition of the Deputy Commissionerships of this Province.

2. I have but lately taken charge of this office, and therefore write with some diffidence on the subject; but my short experience of the work of this Division, together with the information furnished by the office records, enables me to assert confidently that Mr. Commissioner Ricketts is mistaken in supposing that the Assistant has any "spare time." And I venture most respectfully, and at the same time most strongly, to remonstrate against a measure which would entail so much extra work upon this office, the work of which I shall proceed to shew is already quite sufficient to occupy fully the entire time and attention of the Assistant.

3. The first point I shall proceed to notice is the examination of witnesses. Great importance is attached to their being speedily released from attendance at the Magistrate's Court. The Sudder Nizamut Adawlut have frequently called attention to this subject, and again do so in their resolution No. 832, dated 25th September 1856, received a few days since; remarking that the statement shewing the detention of witnesses in this Commissionership, is more unsatisfactory than in any Division under their supervision. If the Assistant is burthened with extra work, amendment in this respect cannot be expected. I give on the margin,* the yearly average number of witnesses examined in this office in all departments during the last three years, exclusive of all subordinate offices. Mr. Ricketts, in his printed report on this Division, (No. 20 of the selections from the Records of the Bengal Government,) paragraph 83, states that the number of witnesses examined in the Criminal Department during the three years 1851 to 1853, viz. 9,810, which gives a yearly average of 3,270, is alone almost sufficient to occupy the time of one officer. It will be seen that there is little diminution in the number of witnesses yearly examined by the Assistant, and it should be remembered that, with a wild people speaking different dialects, some requiring the aid of interpreters, and many of whom have an almost superstitious dread of our Courts, their examination frequently occupies twice the time it would require to record the depositions of Bengalees, or the more intelligent natives of other parts of India.

4. In the statement of business performed, lately furnished to Mr. Commissioner Ricketts, miscellaneous cases were not inserted. There were disposed of during the three years 1853 to 1855, 8,346 cases, giving a yearly average of 2,782.

5. The next point deserving consideration is the heaviness of the work of the Treasury of this Division. This being the head quarters of the Commissioner, all issues of money to the

*Foujdaree 3,170. Dewany 296. Collectorate 516. Total 3,982.

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Province of Chota Nagpore.

officers of the Commissioner, Deputy Commissioner, the Subdivision of Korundah, and the Ramgurh, Local force, are made through this office, rendering the accounts lengthened and complicated, and requiring the Assistant's constant and most careful supervision.

6. I give, in the margin, the number of drafts issued and cashed annually from this Treasury.* The amount of labour entailed on this office by this alone is very great; the number of orders for payment, and chillans for the same period, are also given†. The number of English letters written during the past year was 504. Independent of the actual amount of work thus occasioned, the numerous interruptions caused by the nature of the work, materially delay the other business of the office.

7. The Assistant here is also, *ex officio*, Post Master. The Dâk arrives at irregular hours. Sometimes when the Assistant is engaged in a very important case, perhaps of murder, the Overland mail arrives; either the opening of the Dâk must be delayed, or the work of the office must be interrupted. I am not speaking of an imaginary case, but of what has actually occurred. An easy remedy may be found for this, but such interruptions may occur at any time.

8. The Assistant is also Abkarree Superintendent, and Secretary to the Local Committee of Public Instruction.

9. Great importance is attached by Government to the Assistants' making annual tours through their respective Divisions; which they are expected to visit for at last three months during each cold season; and it is only by making such tours, that an intimate knowledge of the District is to be obtained, and an efficient control exercised over the Police. Mr. Ricketts' scheme would have the effect of curtailing, if not entirely stopping, these mofussil tours.

10. I could enumerate other objections to a measure, which would throw on this office so much extra work, and that of so very responsible a nature, as the scheme proposed by Mr. Ricketts; but it appears to me that the printed Report of that gentleman, referred to in paragraph 3, has anticipated the objections I would offer.

11. Referring to paragraph 2nd of your letter No. 10, to the address of the Deputy Commissioner, I do not feel myself called upon to offer an opinion on the suggestion therein made, so far as it relates to the District Officer; but I venture to suggest the impolicy, and even danger, of entrusting Moonsiffs with any extended Criminal powers amongst the wild races inhabiting these Districts, unless under the immediate eye of the Assistants.

12. Paragraphs 3 and 4 of the same letter have already been fully replied to, showing, I think most clearly, that the Assistant here has no spare time, and that it would be quite impossible for him to get through the work of his own Division, and take the Sessions duties and Civil appeals from the Districts of Manbhoom and Singbhoom besides.

13. The Sessions duties are of a peculiarly grave nature, requiring the undivided attention of the officer conducting them. And liable as the Officer here is to constant interruptions, he could not, so long as he has the charge of the Treasury and its accounts, give that close, earnest and conscientious attention, which cases involving life and death so clearly demand. I have no available information showing the extent of the Sessions duties and Civil appeals from Manbhoom and Singbhoom; from the first named District I believe them to be very heavy.

I have the honor to be,
Sir,
Your most obedient Servant,
J. S. DAVIES,
Senior Assistant Commissioner.

*Drafts issued 927. Cashed 223.

†Orders for payment 1494. Chillans 1981.

2311

APPENDIX N°. —640

PAPERS RESPECTING ASSAM.

No. 417.

FROM

COLONEL F. JENKINS,

Commissioner of Assam.

To

H. RICKETTS, ESQ.,

Commissioner for the Division of the Civil Establishments throughout India.

Dated Gowhatty, the 15th November, 1856.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 567, of the 13th ultimo, (just received) calling upon me for my opinion on the proposed alteration of system in this Province as noted in the margin.

The Province to be divided into two Commissionerships on the pure Punjaub system. The Commissionerships and all subordinate Officers to have authority in all Departments, Revenue, Civil, and Criminal.

2. All the Officers in Assam except the Commissioner, have already authority in all Departments, Revenue, Civil and Criminal, although speaking from my own experience and judgment, I am of opinion that it were better otherwise, that the Revenue duties were separated from the Civil and Criminal, and the Police again separated from the latter Department, as to the best of my belief the agglomeration of Departments so totally distinct as the Revenue and Judicial Departments prevents the possibility of the Officers attaining to that eminence in any particular branch of duty, as is desirable, and is becoming more so daily, and I am of opinion that the same Officers having jurisdiction in both the Revenue and Judicial lines, renders our Government unpopular to the people, as leading them to suppose there can be no redress against Officers of Revenue who are also Magistrates and Criminal and Civil Judges.

3. The Commissioner in Assam now takes all the Revenue duties and the Deputy Commissioner all the Criminal and Civil, Acting as Sessions Judge, and I think they had better thus remain, but if it be decided to place the duties under two Officers as Senior and Junior Commissioner. I see no reason why the alteration of system should not be carried out as soon as wished.

4. The Senior Commissioner should also be Governor General's Agent over all the Frontier, and be also Commissioner for Cooch Behar, and the ordinary Revenue and Criminal duties might be thus divided.

The Senior Commissioner to be resident at Gowhatty, and to have charge of Zillahs Kamroop or Lower Assam, Gowalparah or North-east Rungpore, North Cachar* and the Cossiah Hills, with surveillance as Commissioner over Cooch Behar, and the political charge of the whole frontier.

The Junior Commissioner should be posted at Bishnauth in Central Assam, and have only Revenue and Judicial and Police duties connected with the two Zillahs of Upper Assam, Luckimpore, and Seebsagur, and the two Zillahs of Central Assam, Durrung and Nowgong.

5. I beg to annex a statement of existing Establishments, and also of the Establishment which I think might be necessary for the two Officers divided.

6. With reference to the closing part of your fourth paragraph, I beg to say that I am not at

* North Cachar might seem to be attached rather with Central than Lower Assam, but the Dawk comes readiest by Cachar and Cossiah Hills, and the duties of the Assistant in charge are more Political than of any other nature.

Proposed revised arrangement of the Agent, Governor General, Judicial and Revenue Commissioner's Offices.

AGENCY AND REVENUE DEPARTMENTS.

Sherishtadar of both offices	100	0	0			
1st Peshkar for Agency	50	0	0			
2nd Ditto for Revenue	50	0	0			
Head Moherir	30	0	0			
2nd Moherir	20	0	0			
3rd Moherir	20	0	0			
4th Moherir	20	0	0			
5th Moherir	20	0	0			
Mohafez	50	0	0			
1st Moherir	20	0	0			
2nd Moherir	10	0	0			
Duftry	8	0	0			
Peon	5	0	0			
				403	0	0

CIVIL, CRIMINAL AND POLICE DEPARTMENT.

Moonshee	70	0	0			
Head Moherir	30	0	0			
2nd Moherir	25	0	0			
3rd Moherir	20	0	0			
4th Moherir	20	0	0			
5th Moherir	15	0	0			
6th Moherir	15	0	0			
Mohafez	30	0	0			
Moherir	20	0	0			
Duftry	8	0	0			
Peon	5	0	0			
				258	0	0

TREASURER'S DEPARTMENT.

Treasurer	30	0	0			
Potdar	8	0	0			
Peon	5	0	0			
				43	0	0

GENERAL DEPARTMENT.

Nazir	20	0	0			
Jemadar	10	0	0			
3 Horsemen, at 16 each	48	0	0			
6 Peons, at 6 each	36	0	0			
Native Doctor	30	0	0			
Booteah Interpreter	20	0	0			
Bhistee	4	0	0			
Sweeper	4	0	0			
				172	0	0
Office Pinnace	177	10	5			
Ditto ditto	104	8	0			
4 School students	21	0	0			
				303	2	5

Appendix No. 641

Papers respecting Assam

2515

WRITERS FOR ALL DEPARTMENTS.

Translator	150	0	0			
Head Clerk	160	0	0			
2nd Ditto	110	0	0			
3rd Ditto	80	0	0			
4th Ditto	60	0	0			
5th Ditto	40	0	0			
6th Ditto	40	0	0			
7th Ditto	30	0	0			
8th Ditto	30	0	0			
9th Ditto	20	0	0			
Duftry	10	0	0			
Peon	5	0	0			
				735	0	0
Total, Rs.				1,914	2	5

(Signed) F. JENKINS,

Agent, Governor General and Commissioner.

Agent, Governor General and Commissioner's Office Assam,
The 13th January, 1856.

Form referred to in Para. 1 *of letter to Commissioner of Assam No.* —— *dated the* 18*th December,* 1856.

	Goowalparah.	Kamroop.	Durrung.	Luckimpore.	Nowgong, with North Cachar.	Seebsagur.	Cassiah and Jyntiah Hills.
Principal Assistants or District Officers	1 at 1,000	1 at 1,000	1 at 500	1 at 1,000	1 at 1,000	1 at 750	1 at 750
	... ...	... ...	... ...	... ...	1 at 750	... ...	... ...
Junior Assistant	... ...	... ...	... ...	1 at 500	... ...	... ...	... ...
Sub or Uncovenanted Assistants	1 at 250	1 at 450	1 at 350	... ...	1 at 450	1 at 450	... ...
	... ...	1 at 450	1 at 250	... ...	1 at 250	... ...	... ...
Deputy Collector	... ...	1 at 150	... ...	... ...	... ...	... ...	... ...
Principal Sudder Ameen	... ...	1 at 250	... ...	... ...	... ...	... ...	... ...
Sudder Ameens	1 at 150	1 at 150	... ...	1 at 100*	1 at 100	1 at 150	... ...
	... ...	... ...	... ...	1 at 45*	... ...	... ...	... ...
Moonsiffs	1 at 100	1 at 100	1 at 100	1 at 100	1 at 100	1 at 100	... ...
	... ...	1 at 100	1 at 100	1 at 45	... ...	... ...	... ...
	... ...	1 at 100	... ...	1 at 45	... ...	... ...	... ...
Total	4 at 1,500	9 at 2,750	5 at 1,300	7 at 1,835	6 at 2,650	4 at 1,450	1 at 750

ABSTRACT.

4	Principal Assistants	on	1,000	0 0
3	Ditto Ditto	"	750	0 0
2	Junior Assistants at	"	500	0 0
4	Sub or Uncovenanted Assistants	"	450	0 0
1	Ditto Ditto Ditto	"	350	0 0
3	Ditto Ditto Ditto	"	250	0 0
1	Deputy Collector	"	150	0 0
1	Principal Sudder Ameen	"	250	0 0
3	Sudder Ameens	"	150	0 0
2	Ditto Ditto	"	100	0 0
1	Ditto Ditto	"	45	0 0
9	Moonsiffs	"	100	0 0
2	Ditto	"	45	0 0

(Signed) FRANCIS JENKINS,

Agent, Governor General and Commissioner.

* These are anomalous appointments and will cease with the present holders.

Sanders, Cones and Co., Typs., No. 23, Loll Bazar, Calcutta.

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APPENDIX No. —642

PAPERS RESPECTING ASSAM.

No. 7 of 1857.

FROM

COL. FRANCIS JENKINS,
Agent Governor General, N. E. F., and Commissioner of Assam,

To

HENRY RICKETTS, ESQ.,
Commissioner for the Revision of Civil Salaries and Establishments throughout India.
Dated, Camp Cooch-Behar, the 31st January, 1857.

SIR,

With reference to your letter, No. 641, of the 18th ultimo: and to mine, No. 121, dated the 2nd November last, from the Revenue Department, that having been induced to make a further enquiry, I regret to observe that the return of business therewith submitted, was inadvertently drawn out for that Department only, but I now beg to submit a revised return, including in it, the correspondence of the Judicial and Agency Departments also, which from some oversight, that I cannot now account for, was previously omitted.

2. Besides the above correspondence, there are the extra duties of Accountant, and the writing of Diaries, &c., as noticed in the column of Remarks, which falls heavy enough, on the present establishment, and you will perceive that the business, on a comparison with the two Commissionerships in question, is much heavier, and I trust that after due consideration, that the existing establishment will, under this explanation, not be thought too much, and be allowed to stand as at present.

I have the honor to be,
Sir,
Your most obedient Servant,
(Signed) FRANCIS JENKINS,
Agent Governor General of N. E. Frontier and Commissioner of Assam.

Statement shewing the number of letters received and issued in the Offices of the Agent, Governor General N. E. Frontier and Commissioner of Revenue, Assam, from 1854 *to* 1856.

Departments.	Average number of letters sent for 3 years.	Average number of letters received for 3 years.	Remarks.
Office of Revenue Commissioner ...	3,372	2,565	Besides this—Treasury Accounts,—Weekly Political Diary, Copying of Travelling Allowance, Contingent and other Bills, together with Statements.
Ditto Judicial Commissioner ...	1,781	1,800	
Ditto Agent, Govr. General.....	2,732	2,577	
Total	7,885	6,942	

Agent Governor General's Office, Cooch Behar,
The 31st Januury, 1857.

(Signed) FRANCIS JENKINS,
Agent Governor General and Commissioner of Assam.

Sanders, Cones, and Co., Typs, No. 23, Loll, Bazar, Calcutta.

2318

APPENDIX N°. — 643

PAPERS RESPECTING ASSAM.

No. 152½ of 1856.

FROM

MAJOR HAMILTON VETCH,

Deputy Commissioner of Assam,

To

HENRY RICKETTS, ESQ.,

Commissioner for the Revision of Civil Salaries and Establishments throughout India,

Dated, Gowhatty, the 26th November, 1856.

SIR,

I have the honor to acknowledge the receipt of your letter of the 16th ultimo, enclosing a copy of a letter to the Commissioner of Assam, on the subject of dividing the province into two Commissionerships, and all subordinate Officers to have authority in all Departments, Revenue, Civil and Criminal, and requesting my opinion on the proposition.

2. In reply I beg to say that, although I think it best to continue the present system, I see no material obstacle to that proposed; the functions, as above, are already so performed, by all the Officers in charge of districts and by their Assistants when required, it is only in the Commissionership that the duties are kept separate, the Commissioner taking the Revenue Department and Superintendence of Police, whilst the Civil and Criminal Departments are entirely under me, as Deputy Commissioner.

3. If formed into Divisions that of Lower Assam, with Station at Gowhatty, might comprehend Kamroop, the Cossiah and Jynteah Hills, Gowalpara and the Tributary State of Cooch Behar, with the lower parts of the Durrung district; viz. the Mehals of Desh Durrung, Chatgarree, Chooteah and the Bootan Dowars as far as Chardowar.

4. The Political relations to be under the Commissioner, as Agent, Governor General, N. E. Frontier.

5. That of Upper Assam, with Station at Bishnath, to comprise the districts of Luckimpore, Seebsagur, Nowgong with the Mehals of Chardowar and Nowdowar of the Durrung district. The Frontier relations to be under the Commissioner as Political Agent, Subordinate to the Agent, Governor General.

6. As the work to be done in the Revenue, Judicial and Police, would, I think, be just about equal, the establishment would be exactly similar.

7. The difference would therefore be in the office of the Agent to the Governor General of the Frontier, and for the Political Agency in Upper Assam which, I think, might be on the annexed scale.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed) H. VETCH,

Deputy Commissioner of Assam.

Sanders, Cones and Co., Typs., No. 23, Loll Bazar, Calcutta.

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APPENDIX N°. —644

PAPERS RESPECTING ASSAM.

No. 3½ of 1857.

FROM

MAJOR HAMILTON VETCH,

Deputy Commissioner of Assam.

TO

HENRY RICKETTS, ESQ.,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

CALCUTTA,

Dated, Gowhatty, the 6th January, 1857.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 642, of the 18th ultimo, calling on me to state my reasons for having proposed that the pay of the Head Writer should be increased ..... from 100 to 120 Rupees.

Third Writer	„	20 to	30	„
Sheristadar	„	70 to	100	„
Peshkar	„	35 to	40	„
Head Mohurer	„	20 to	30	„
2nd Mohurer	„	18 to	25	„
Sheristadar of the Criminal Department	„	70 to	100	„
Peshkar	„	35 to	50	„

2. In reply I beg to say, that as far as at least regards the formation of a Commissionership in Upper Assam, I consider that, as to the present Revenue duties of the office would be added those of the Office of the Superintendent of Police, and also in consideration that a removal to Upper Assam, where Calcutta supplies are more expensive, and a house would have to be built, with other expences attendant on moving to, and the formation of new station, I question if the services of a really efficient Head Clerk could be had for less, and besides the last incumbent at the head of my office drew a salary of Rs. 125 a month. The same remark will apply to the third writer's salary, as an efficient man of his class would require some extra inducement and compensation in case of having to remove to a new and more remote part of the province.

Sheristadar, from 70 to 100, will have the charge of two Departments instead of one, and, for the reasons given above in respect to the expence of removing to a new and remote station.

Peshkar, from 35 to 40, will now have the subordinate control of the Criminal and Civil Courts, and for the above reasons.

Head Mohurer, from 20 to 30, will have the duties of two Departments, and reasons as above.

2nd Mohurer, 18 to 25, Ditto.

Sheristadar, Criminal Department, 70 to 100. He will have the charge of two Departments, the other reasons given in the case of the Revenue and Police Sheristadar.

Peshkar Agency, 35 to 50, the present Peshkar in the Upper Assam Political establishment, receives 40 Rs., and in consideration of the expense he would be put to in coming to Bishnauth, and the extension of the Agency to all Upper and Central Assam, the increase seems due to the present incumbent.

In reply to the second paragraph of your letter, I beg to submit the following explanation :—

I consider that the numerical strength of the office would be insufficient in a remote station where in case of sickness it would be impossible to obtain new hands, while the pay in the lower grades is insufficient inducement to any fit person to take service in a country like Assam.

To all Departments.

Head Clerk	100
2nd Ditto	60
3rd Ditto	30
4th Ditto	20
5th Ditto	15
Duftry	10
Peon	4
	239

With the addition of a Head Mohurer to take the Police Department, this establishment might be tried.

Native Revenue.

Sheristadar	80
Peshkar	35
Mohurer	20
Ditto	20
Mohafiz	30
Duftry	6
	191

It is possible that this might do, but it leaves no margin for contingencies of sickness so constantly occurring in this province.

Civil and Criminal.

Sheristadar	80
Peshkar	40
Mohurer	25
Ditto	25
Ditto	15
Ditto	15
Mohafiz	30
Mohurer	15
Duftry	6
	251

No provision has been made for boats to enable the Commissioner to make his circuits to Dibrooghur, Seebsaugur, Nowgong, Tezpore, with the Sub-Division stations of Luckimpore and Golah Ghat. Neither has Medical attendance been provided, even to the extent of a native Doctor, nor has there been any provision made for the Political Agent's office; however, as respects the latter, the establishment now at Dibrooghur, if transferred, might nearly suffice.

Translator	100
Booteah Ditto 20	not required for Upper Assam.
Nazir	20
Jemadar	10
2 Chuppraseos, at 6	12
5 Ditto, at 5	25
Government Vakeel	20
Bheesty	4
Sweeper	4
6 Students	28

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed) H. VETCH.

Deputy Commissioner of Assam.

Sanders, Cones and Co., Typs., No. 23. Loll Bazar, Calcutta.

APPENDIX N°. —645

PAPERS RESPECTING ASSAM.

No. 26.

FROM

CAPTAIN E. T. DALTON,
Principal Assistant Commissioner of Luckimpore.

TO

HENRY RICKETTS, ESQ.,
Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Dated, Dibrooghur, the 13th December, 1856.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 572, of the sixteenth ultimo, calling for my opinion on your proposal to divide the Province of Assam into two Commissionerships on the pure Punjaub system.

2. I have taken time to deliberate on this question, looking upon it as one of no small importance to the interests of the province, and the result arrived at is, that, whilst I find little or nothing to object to in the alteration proposed, I consider it would be attended with many and great advantages, viz., it would facilitate despatch of business of all kinds, it would afford to the inhabitants of every district more equal opportunities, than they now possess, of resorting to the Provincial Court of Appeal. It would give to each district the stimulating influence of the frequent presence and constant superintendence of an experienced superior Officer; and in supercession of the present anomalous system of trials in committed cases, it would enable the Officer charged with the functions of Judge to hold trials himself, and hear parties and witnesses instead of having to decide on the proceedings only of the District Court.

3. In regard to facilitating despatch of business, the great distance between the Head Quarters of the Commissioner and those of some of his Principal Assistants, gives rise to very considerable delay in matters involving references from one court to the other. My own station is upwards of 240 miles from that of the Commissioner, and a reply to a letter from this to Gowhatty cannot be received in less than fifteen days.

4. The same cause virtually debars the inhabitants of the remote districts from access to the Commissioner's court, and it is the vast extent of the territory subject to the control of the Commissioner, an area of some 30,000 square miles that originated the present system of holding criminal trials in committed cases, which though working well in many respects, is objectionable and anomalous, as the Officer whose business it is to bring offenders to trial, ought not, according to enlightened views of criminal jurisprudence, to be the presiding Officer at the trial. An Officer in charge of a district in Assam has in the same case to perform, successively or simultaneously, the offices of public prosecutor, judge, and council for the prisoner.

5. In regard to the most essential portion of a Commissioner's duties "the circuit;" under the present system, it does not appear to be always practicable for even one of the two Commissioners to visit annually each of the districts in the division, and under such circumstances an effectual superintendence over the remote Districts is scarce practicable. In these every thing depends on the ability, energy and conscientiousness of the district Officer. Yet the necessities of the service occasionally place Officers of little or no experience in charge of districts, and in such cases the want of an active superintendence on the part of the Commissioner is liable to be soon felt.

6. The following is the division of the Province that I would recommend. I would assign to the Commissionership of Upper Assam the districts of Durrung, Nowgong, Seebsagur or

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Appendix No. 645
to
Papers respecting Assam

Jorehauth, and Luckimpore, and the Commissionership of Lower Assam, the districts of Gowalparrah, Kamroop, the Cassya hills, Cachar and Cooch Behar. With reference to the population, revenue, and duties, this would be as even a division as could be effected and geographically considered, it is the best that could be made without altering the boundaries of districts which would be expensive and useless.

7. In regard to placing the Head Quarters of the two divisions, I am of opinion, that it is by no means always necessary, or even advantageous that a Commissioner should be located at one of his district Sudder stations. When this is the case the district selected, is apt to get a little top much of the Commissioner, his attention is concentrated on the affairs of one district instead of being equally diffused over all under his control, and the interference in petty details that is in a measure forced upon him, injuriously affects the authority and damps the zeal of the district Officer.

8. On these grounds, and as none of the district Head Quarters are particularly well adapted for the purpose, I would be inclined to select a new station for the Commissioner of Upper Assam, and think that Bishnauth would be an admirable position. It is on the Brahmapootro the great high-way of the valley, and therefore accessible at all seasons from all quarters, and it is the only site on that river within the limits assigned to the Upper Division, on which a Station could be built. It is considered the most salubrious spot in all Assam, and it is very near, about twenty miles below, a point at which the boundaries of the four districts, Luckimpore, Jorehauth, Nowgong, and Durrung meet. It is below the geographical centre of the division, but it is central as regards the most densely populated portions, and for speedy communication with all the four district stations by land or by water, it is the best point that could be chosen.

9. I presume that for each division there would be an Officer at the head of the department of public works. I would place him at the same station with the Commissioner, to whom he would be of great assistance in all questions affecting that department, and their being together would expedite business. As it would be necessary to have some force at the new station, I would place there the head quarters of the Local Artillery. It is a force intended for the use of the province generally, and in a military point of view, this arrangement appears desirable. We are more likely to have use for the six-pounder guns in the Bootan Dooars, than in any other quarter. For many years they have not been employed any where else. With two guns at Dibrooghur, Mountain Howitzers at Saikwah and Jaipore, and the head quarters and remaining guns at Bishnauth, the Company would be in a better position for action when required, than it is at present.

10. Bishnauth only requires such a start in life to become an important place, if, however, it is considered inexpedient to create a new station, Seebsagur would be the most central of those now in existence.

11. The Establishment of a Commissioner's Court at Gowhatty, being a "fait accomplit," it might not be thought necessary to remove to another Station the head-quarters of the Lower division, and if, as I suggest, Cachar be included in this division, the position is geographically good.

12. I have no details from which to form an estimate of the financial effects of the measure proposed, but economically carried out, I do not think it need exceed the cost of the present Commission and Agency.

I have the honor to be,
Sir,
Your most obedient Servant,
(Signed) E. T. DALTON,
Principal Assistant Commissioner.

Zillah Luckimpore, Dewanny Adawlut,
The 13th December, 1856.

Sanders, Cones and Co., Typs., No. 23, Loll Bazar, Calcutta.

APPENDIX. No. 646

Miscellaneous Papers respecting the Regulation District of Kumaon

FINANCIAL DEPARTMENT.

No. 18 of 1851.

Senior Assistant, Kumaon, W. Muir, Esq.

Our Governor General of India in Council.

Governor General's letter, (Judicial Department) dated 29th August 1850, No 3.
Recommending that the Salary of Captain Ramsay, Senior Assistant Commissioner, in charge of Kumaon, should be made equal to that of his Predecessor, viz., Rs. 1,000 per month.

1. Mr. Batten, Captain Ramsay's predecessor, was appointed Senior Assistant at Kumaon, 10th February 1839, on a salary of 700 Rs. a month, which was almost immediately afterwards increased to 1,000 Rupees, in consequence of additional duties imposed on him, but the increase was considered as a special allowance to Mr. Batten, and was continued to him until he quitted the office in October 1848.

2. Captain Ramsay at his own desire, succeeded Mr. Batten, and received the original Salary of 700 Rupees, but on a representation supported by Mr. Batten, as to the extent of his duties, the Lieutenant Governor of the North West Provinces, recommended that his salary should be increased to 1,000 Rupees a month, this was however refused on Financial grounds, as reported to us in Para : 14 of your Judicial letter, dated 9th November 1849, No. 16 : in submitting a second application from the Commissioner of Kumaon, under date 17th August 1850, to the same effect, the Lieutenant Governor again strongly recommends the object, and in forwarding the proceedings for our consideration and orders, the Governor General observes, in reference to Captain Ramsays' claim, that "holding the same office, and doing more work than was required "of his predecessor, I am of opinion, that Officer is entitled fairly to the same emolu- "ments."

3. A review of the proceedings connected with this office, suggests the following remarks, when the office of Commissioner in Kumaon was appointed in 1839, two Senior Assistants were assigned to him, each to receive a salary of Rupees 700 per mensem. In less than a month after the nomination of Mr. Batten to one of these offices at that salary, his allowances were raised to 1,000 Rupees, in consequence of his being called upon to Superintend the revised Revenue settlements of the whole Province, including Kumaon and Ghurwhal, this increase was adopted without our sanction, it was not brought to our notice in the letter which forwarded the proceedings in which the measure was recorded, and it appears to have escaped attention in our reply. However reasonable the remuneration, while duties of a peculiar and laborious character were performed, we see no reason, why it should have been continued for nine years until Mr. Batten quitted the office.

4. Upon his promotion, the salary was a second time appointed at 700 Rupees per mensem.

5. We are now called upon to sanction the grant of the same salary to Captain Ramsay, as was enjoyed by Mr. Batten.

6. The former Commissioner Mr. Lushington, was evidently averse to the con-

Senior Assistant. Kumaon. W. Muir, Esq.

tinuance of Mr. Batten's allowances to his successor, and declined to forward the application to Government to that effect.

7. With regard to the occupations particularly enumerated by Mr. Batten, in this letter of 12th April 1849, as appertaining to the office, they appear to be of an ordinary character, and such as in other districts, would not be entitled to extra reward. No two stations of a particular grade, will be found exactly to agree in the amount of duty to be performed, and if the alteration of established allowances were admitted on the ground of such inequalities, the salaries of our servants would be continually fluctuating and an unsettled scale of emolument would generally prevail.

8. The grant of similar allowances to those enjoyed by Mr. Batten is further urged on the ground of Captain Ramsay's being now employed in "settlement duties" as *he* was. But there seems to be no analogy between the two cases, Mr. Batten had to superintend the revised 20 year's settlement of the whole of the Province, and the number of villages comprised in that settlement in Ghurwhal alone, appears to have been 4,084.

Vide letter from Mr. Lushington, 23rd February, 1849.

9. Captain Ramsay is said to be engaged only in the settlement of one district, that of Bhabur, and the remainder of the Province is not likely to require any similar attention for a long course of years. We do not see in this restricted and occasional duty, which probably devolves upon most Revenue officers at intervals, a sufficient reason for the large and permanent increase of salary that is recommended.

10. We do not therefore discover in the proceedings to which you have referred us, so far as they have been reported to us, any adequate grounds for the adoption of your proposition, and we must therefore suspend our final decision thereon, until we receive a more satisfactory statement of the grounds upon which it is urged.

We are,

Your affectionate Friends,

(Signed) JOHN SHEPHERD,

and 12 *other Directors.*

LONDON,

19*th March*, 1851.

APPENDIX. No. 647

Miscellaneous Papers respecting the non-Regulation District of Kumaon

FINANCIAL DEPARTMENT.

No. 53 of 1851.

Senior Assistant, Kumaon, W. Muir, Esq.

Our Governor General of India in Council.

Letter from Governor General in the Judicial Department, dated 6th June 1851, No. 3.
Submits Copy of a letter from the Secretary to Government North Western Provinces, with explanations in reply to the Courts Despatch, dated 19th March 1851, No. 18.
Regarding the increase of Salary, which it was proposed to give to Captain H. Ramsay, 1st Assistant in Kumaon.

Letter from Secy. to Govt., N. W. Provinces, dated 29th May, 1851.

Para. 1. We suspended our decision upon your proposition, for raising Captain H. Ramsay's salary from Rupees 700 to Rupees 1,000 per month, until we received a fuller statement of the grounds upon which that proposition was based; from the explanation now forwarded by the Government of the North Western Provinces, we perceive, that though the Salaries of the two Assistants to the Commissioner of Kumaon, were both originally fixed at Rupees 700 per month, their appointments differ greatly in importance. "There can be no comparison between the "importance of the two divisions of Kumaon, viz., "Gurhwal and Kumaon proper, the former yields a Revenue of Rupees 68,644, the "latter of Rupees 1,54,794. The former has no large Towns or troublesome Stations "in it, the latter has Almorah with its Battalion and Outposts, besides Nainee Tal, "the former has no Turdie of any description, the latter has a wide tract capable of "much improvement, extending from the Sardah to the Ramgunga."

2. Captain Ramsay as 1st Assistant, has the charge of Kumaon proper, and the Lieutenant Governor North Western Provinces, expresses himself in the highest terms of commendation of his services, in this laborious and responsible Office at an unhealthy Station.

3. Considering the strong personal claims of Captain Ramsay, and under the explanation now given, we authorize you to raise his salary to Rupees 1,000 per month, the increase to have effect from the receipt of this despatch. We intend this addition to be limited to the present case. We may hereafter determine upon the propriety of making some new permanent arrangement, in regard to the Salaries of the Assistants in Kumaon.

We are, &c.,

(Signed) JOHN SHEPHERD,

and 13 *other Directors.*

LONDON,
8*th October*, 1851.

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APPENDIX. No. 648

Miscellaneous Papers respecting the Regulation District of Kumaon

No. 1758 of 1856.

Senior Assistant, Kumaon, W. Muir, Esq.

FROM

WILLIAM MUIR, ESQ.,

Secretary to the Govt. of the N. W. Provinces

To

CECIL BEADON, ESQ.,

Secretary to the Govt. of India.

Home Department,

Fort William.

Judicial Department. *Dated, Agra, the 10th March,* 1856.

SIR,

With reference to the orders of the Honorable the Court of Directors, No. 53 of 1851, communicated with Sir H. M. Elliot's letter, No. 408, dated the 22nd November 1851, sanctioning the increase of Captain Ramsay's salary as senior Assistant to the Commissioner of Kumaon, in the district of Kumaon proper, from 700 to 1,000 Rupees per mensem, but limiting the increase "to the present case," I am now directed to request, that the subject may be brought under the consideration of the Most Noble the Governor General in Council, in order that the increase allowance may be attached permanently to the charge of the Kumaon District.

PARA 3 OF COURTS DESPATCH.

"Considering the strong personal "claims of Captain Ramsay, and under "the explanation now given, we autho-"rize you to raise his salary to Rs. 1,000 "per mensem, the increase to have effect "from the receipt of this Despatch. We "intend this addition to be limited to the "present case. We may hereafter deter-"mine upon the propriety of making "some new arrangement in regard to "the salaries of the Assistants in "Kumaon."

2nd. The reasons which were urged by the late Lieutenant Governor, in the Despatch of this Government, No. 173 A, dated the 29th May 1851, in regard to the importance of the charge of Kumaon proper, continue in full force, and have indeed, through the rapid course of later improvements, become even more weighty and applicable.

3rd. The progress of cultivation in the Bhabur tract under the Hills, has greatly increased under Captain Ramsay's able management; and this increase will be further largely augmented, through the construction and extension of the Gola and other canals in that quarter. The growth of iron works in the Bhabur, is also likely to attract a fresh population, and to lead to new settlements, within the Kumaon limits.

4th. There can, as the Lieutenant Governor entirely concurs with his predecessor in thinking, be no comparison between the labor and responsibility of the charge of the Kumaon and Gurhwal districts, and it will, in his opinion, be but an act of the barest justice, to assign to the Senior Assistant in Kumaon, the higher rate, (one in itself scarcely commensurate with that allowed for similar posts in other parts of the country,) of Rupees 1,000 per mensem.

Senior Assistant, Kumaon, W. Muir, Esq.

5th. I am, therefore, instructed to submit the earnest recommendation of the Lieutenant Governor, that this rate may be sanctioned by the Supreme Government. The present Senior Assistant Commissioner, Mr. W. C. Watson, formerly held charge of the Gurhwal District, from which he has been transferred in the fair course of local promotion, to the more prominent and difficult office in Kumaon.

I have, &c.,

(Sd.) W. MUIR,

Secretary to Govt. N. W. Provinces.

AGRA,
The 10th March, 1856.

(True Copies.)

C. HUGH LUSHINGTON,

Secretary to the Govt. of India.

APPENDIX. No. 649

Miscellaneous Papers respecting the Regulation District of Ajmere.

No. 670.

Commissioner Ajmere and Mairwara, Col. C. G. Dixon.

To

LIEUT. COLONEL J. SUTHERLAND,

Commissioner of Ajmere.

Revenue Sept.

SIR,

I am directed by the Lieutenant Governor, to acknowledge the receipt of your letter, dated 26th January last, on the state of Kholsa villages in Ajmere.

2nd. His Honor has perused with interest this valuable epitome, compiled with such industry and judgement, of the revenue administration of the province since it fell into our hands, and directs me to communicate to you, his intention of giving wider circulation to this important document, by causing it to be printed.

3rd. It is not however without feelings of mortification, that such a record of unsuccessful administration can be perused. The lamentable failure of the best efforts of a series of able Officers, to accommodate to the circumstances of Ajmere, a system, which has on the whole been followed by extensive benefits in other quarters, may form a subject of instructive, but never of pleasing contemplation. To this investigation of the causes which have led to this result, you have indeed applied yourself with a closeness of local and personal examination, hardly to have been expected from one burdened as you have been, with other and more momentous duties.

4th. The Lieut. Governor gathers from your reasoning and the instances adduced in illustration, that you have no prepossession whatever against Mouzwarree settlements as such, and the freedom from bias on your part, adds greatly to the force of the testimony which you bear, against their present applicability to Ajmere.

5th. The gist of your argument as His Honor understands it, is this; fluctuating assessments are alone suitable to a Country, afflicted with an uncertain climate, and unprovided, as yet, with any artificial means of correcting the inequalities of season.

6th. To this position, His Honor most fully subscribes, but in doing so, he wishes it to be understood, that he looks forward to a period, when, the objection being removed by the measures to be considered in the sequel, recourse may again be had to that system of engagements for a term of years, which if not always the most in accordance with the habits and feelings of the people, is nevertheless the best suited to an administration conducted as ours is, by ever changing *and changing*, and sometimes inexperienced hands.

7th. This last is a consideration of which His Honor apprehends, that you may

Commissioner Ajmere and Mairwara, Col. C. G. Dixon

in the course of your speculations, occasionally have lost sight. In paragraph 15, page 113, you seem to be alive to the risk of adopting a system requiring a more than average degree of energy and devotion in those by whom it is to be put in force, yet it would seem from other passages of your report, that this is the very system, the perpetuation of which you would advocate, as essential to the happiness of the province.

8th. His Honor alludes to this seeming inadvertence on your part, merely in explanation of the qualified assent, which alone he can yield to the proposal for substituting periodical and fluctuating, for fixed and enduring settlements.

9th. It now remains to consider what the measures are, whereby the affairs of the district may most probably be retrieved.

10th. Of these, the restoration of the reservoirs, the sources of all former prosperity, occupied the very foremost rank, as that indeed without which nothing else can be effected.

11th. Such excavations or embankments being like the Dehlee or Doab Canals, beyond the means of the people, must be undertaken by the Government, but there is a difference not to be overlooked in the bearing of these works on the interests of the ruling power.

12th. The Canal yields a direct return in the form of a water rent, while the only test and proof of the benefits to be derived to the state from the reservoir, is to be found in the land revenue returns.

13th. Under this view of the question, His Honor entirely approves of your proposal, that the construction of works in any village should be contingent, on a surrender of their existing lease, a condition to which no demur need be anticipated.

14th. The proposal contained in your 13th Paragraph, that the whole country should be surveyed in the ensuing season, entirely meets with the concurrence of His Honor, and it is fortunate that, at the present moment, there are effective and well trained establishments no longer required in these Provinces, one of which will be made available for the survey of Ajmere. The mode of survey, you will find in part detailed in the Circular issued by the Sudder Board of Revenue on the subject, under date April 9th, 1839, a printed Copy of which is forwarded to you herewith, in case you should not be already supplied with it. In the case, however of Ajmere, it will not be requisite to have a native field Map or Khusra survey prepared for each village. The professional survey exhibiting the particulars of each village, as in Appendix No. XV, will be sufficient, and with this will be united the examination of the slope of the country, and formation of plans and estimates for water courses.

15th. The first step however, preliminary to those operations, is the adjustment and demarcation of the boundaries of all villages in the district, and these, whether

Zemindaree or Talookdaree, as the whole must be surveyed together. The mode in which this can be very quickly effected, is fully explained in Section II, of the Circular, and if you are desirous of the aid of my Officers, who are experienced in the work, Native or European, they will be afforded you. It is necessary you should make immediate arrangements for this work, as the survey cannot commence till it* have made some progress, and as any delay or imperfection in its execution materially retards and adds to the cost of the survey. His Honor directs me here to advise you, that great vigilance on the part of your European subordinates, will be required to prevent the abuse of the powers entrusted to the Native Agents employed in this operation. When this survey is accomplished, you will possess an accurate record of what the village is at the time able to yield, and general data for roughly ascertaining, what it may ultimately be made to yield.

Commissioner Ajmere and Mairwara, Col. C. G. Dixon,

16th. As to the future management of the district, His Honor has above stated his doubt, whether Captain Dixon's method, as detailed in your 15th Paragraph, is one to be safely assumed as the rule for a lasting arrangement. In the hands of a diligent, cautious, and skilful Officer, it must, as is shown in the instance of Mairwarah, be eminently successful, and it is therefore most fortunate, that in this particular crisis of affairs in Ajmere, a person like Captain Dixon should be at hand to step forward, relieve us from our present embarrassments, and open, we may hope a new course of prosperity. There is however a vagueness in the rule of Assessment, and so entire a dependence on the personal qualification of the Revenue Officer, that His Honor apprehends Mouzewar settlement for a period, to be better suited for a system, which cannot always be worked by equally skilful hands.

17th. The Tanks and embankments must evidently be kept up at the cost of Government, and some little experience is necessary to establish in what way, and at what cost, this can be effected. The villages must remain for the present, under the system of management advocated by you, and which evidently approaches to what in these provinces, is called Kham. After the survey has been effected, it will probably be practicable to fix a standard Jumma on each Mouzeh, dependent on its capabilities, and at least equal to Mr. Edmonstone's assessment, with ten per cent net additional in the cost of any works constructed and maintained in it at the expense of Government. The time and mode of effecting this conversion are left to your discretion, but when the community are found willing to engage for a term of 16 years on these conditions, the Mouzeh may be made over to them, and at the same time a record must be formed of the rate and mode of payment, as detailed in Section IX of the Sudder Board's Circular. Paragraph 204 of that Circular, particularly bears upon the point, but your attention may be well directed to the whole section.

18th. It may be hoped that the mode thus sketched out for gradually returning to Mauzehwar settlements, as the country improves and as the people became able to

* Sic in origine.

Commissioner Ajmere and Mairwara, Col. C G. Dixon,

appreciate its advantages, will generally meet your concurrence and receive your early co-operation.

19th. Your immediate attention must now be directed to the adjustment of the village boundaries, as the necessary preliminary to the survey; as soon as you can assure His Honor, that you are prepared to carry through this measure, that no impediment is likely to arise thence to the survey, orders will be issued for its movement and you will be apprised of the particulars.

I have, &c.,

(Sd.) J. THOMASON,

Secy. to Govt. N. W. P.

AGRA,
The 11th May, 1841.

(True Copy.)

(Sd.) C. G. DIXON,

Commissioner.

APPENDIX. No. 650

Miscellaneous Papers respecting the Regulation District of Ajmere

To

COLONEL J. LOW, C. B.,

Agent Governor General

for the States of Rajpootana.

Commissioner Ajmere and Mairwara, Col. C. G. Dixon.

Camp, Right Tank of the Gugger,

Foreign Dept. *The 11th December,* 1848.

SIR,

I am desired by the Right Honorable the Governor General, to communicate to you the arrangement which His Lordship has determined upon, for the Civil administration of Ajmere and Mairwara.

2nd. The eminent services of Lieutenant Colonel Dixon in these Provinces, have been long and repeatedly acknowledged, and the time seems now to have arrived for placing him in a more independent situation, as regards his Civil functions than he has hitherto occupied. This will be further attended with the advantage of relieving you from many of the details of Civil administration, which would greatly occupy your time, and would perhaps render it necessary for you to reside more constantly at Ajmere, than might be convenient for the performance of the general duties of your Office.

3rd. With these views, His Lordship has resolved, that in the ordinary Civil management of Ajmere and Mairwara, Lieutenant Colonel Dixon shall be in immediate correspondence with, and direct subordination to, the Lieutenant Governor at Agra, whilst you will occupy towards those Provinces, very much the same position that you do towards the Native States, which are comprised within your Agency.

4th. In all international questions which may arise between the British and Foreign States, you will be the referee and umpire. You will also consider yourself authorized to report occasionally to the Lieutenant Governor, as you may feel disposed, or may find to be expedient, on the character, and general features of the administration, more especially in its bearing on the general state of Rajpootana. It may also be found desirable sometimes, to call upon you for an expression of your opinion, on questions which may at any time peculiarly engage the attention of the Government.

5th. For the hearing of Appeals, Civil Suits, it is necessary to have on the spot some high functionary, who can conduct the proceedings in the immediate vicinity of the parties and with the advantages which local knowledge and experience provide. In this respect, therefore, you will continue to possess the same jurisdiction as was exercised by your predecessor.

6th. In the administration of Criminal Justice, Lieutenant Colonel Dixon will forward direct to the Lieutenant Governor, the reports of the trials he may hold on the commitments of his subordinates.

APPENDIX. No.....

Miscellaneous Papers respecting the Regulation District of Ajmere

Commissioner Ajmere and Mairwara, Col. C. G. Dixon.

7th. In all matters of Police and Revenue, Lieutenant Colonel Dixon will correspond direct with the Lieutenant Governor.

8th. Accounts and Bills will be transmitted direct by Lieutenant Colonel Dixon, to the authorities for whom they are designated. Such charges as have hitherto required the Commissioners countersignature to support the audit, will be forwarded for sanction to the Lieutenant Governor.

9th. The state of Shahpoorah is on a different footing from the rest of the Province. No interference with its internal management is exercised, so long as the Mamlah or Tribute is regularly paid. It is desirable, that Lieutenant Colonel Dixon, should continue as heretofore to correspond with you, and you with the Lieutenant Governor, on all that concerns its affairs.

10th. Such being understood to be the distribution of duty between yourself and Lieutenant Colonel Dixon, there does not seem to be any sufficient reason, for altering the designations which you respectively hold. You will accordingly be gazetted as Commissioner of Ajmere and Mairwara, and Lieutenant Colonel Dixon will continue to be designated as Superintendent.

11th. A Copy of this letter will be sent to the Lieutenant Governor for his information.

I have, &c.,

(Sd.) H. M. ELLIOT,

Secy. to the Govt. of India with the Governor General.

CAMP RIGHT TANK OF THE GUGGER,
The 11th December, 1848.

(True Copy.)

(Sd.) H. M. ELLIOT,

Secy. to the Govt. of India with the Governor General.

(True Copy.)

(Sd.) A. SHAKESPEAR,

Asst. Secy. to Govt., N. W. P.

(True Copy.)

(Sd.) C. G. DIXON,

Commissioner.

APPENDIX. No. 621

Miscellaneous Papers respecting the non-Regulation District of Ajmere

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No. 621 A.

Commissioner Ajmere and Mairwara, Col. C. G. Dixon.

FROM

C. ALLEN, Esq.,

Offg. Secy. to Govt. of India.

To

LIEUT. COL. C. G. DIXON,

Ajmere.

Foreign Dept. *Dated, Fort William, the 28th January,* 1853.

SIR,

With reference to the appointment of Lieut. Col. Sir H. M. Lawrence, to be Agent to the Governor General for the States of Rajpootana, I am directed to acquaint you, that the Governor General in Council is of opinion, that the District of Ajmere, being a purely Civil charge, would be advantageously placed under the authority of the Lieut. Governor of the N. W. P., and he is accordingly pleased to alter your designation from that of Superintendent to that of Commissioner of Ajmere, and to place that District under the direct control of His Honor the Lieut. Governor. All Judicial Appeals from your decision, will, in future be made to Agra, instead of to the Agent in Rajpootana (as) heretofore.

2d. His Lordship in Council has an additional motive for making this change in the desire he entertains to testify his approbation for your services, by conferring upon you a higher titular designation, and placing you exclusively under His Honor the Lieut. Governor.

I have, &c.

FORT WILLIAM,
The 28th January, 1853.

(Sd.) C. ALLEN,
Offg. Secy. to Govt. of India.

(True Copy.)

(Sd.) C. G. DIXON,
Commissioner.

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APPENDIX. No. 6

Miscellaneous Papers respecting the Non-Regulation District of Ajmere

Commissioner Ajmere and Mairwara, Col. C. G. Dixon.

(COPY)

REVENUE DEPARTMENT.

No. 22 of 1854.

Our Governor General of India in Council.

1. With your letter in the Home Department, dated the 26th May last, (No. 39), you have transmitted a communication from the Lieut. Governor of the N. W. P., earnestly recommending, that Lieut. Col. Dixon may be permitted to retain the Office of Commissioner of Ajmere and Mairwara, notwithstanding his promotion to the rank of Regimental Colonel (an event which is likely soon to occur) although, under existing rules, he would then be required to vacate that appointment. This recommendation receives the cordial support of your Government.

2nd. We have frequently had occasion to record our appreciation of the eminent merit displayed by Lieut. Colonel Dixon, in the administration of the Districts of Ajmere and Mairwara, over which he has for so many years presided, and we have much satisfaction in marking our sense of the highly valuable public services of that distinguished Officer, by authorizing you as a special case, to exempt him from the operation of the rule in question.

We are, &c.,

(Sd.) J. OLIPHANT,

(„) E. MACNAGHTEN,

and other Directors.

LONDON,

6th September, 1854.

(True Copy.)

(Sd.) C. ALLEN,

Offg. Secy. to Govt. of India.

(True Copy.)

(Sd.) W. MUIR,

Secy. to Govt. N. W. Provinces.

(True Copy.)

(Sd.) C. G. DIXON,

Commissioner.

(True Copies.)

C. B. THORNHILL,

Offg. Secy. to Govt., N. W. Provinces.

APPENDIX. No. 653

Miscellaneous Papers respecting the Regulation District of Ajmere

(COPIES.)

Commissioner Ajmere and Mairwara, Col. C. G. Dixon.

No. 275 of 1856.

FROM

COLONEL C. G. DIXON,

Commissioner of Ajmere.

To

C. B. THORNHILL, ESQ.,

Offg. Secy. to the Government N. W. P., Agra.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 854 A, under date 25th ultimo, forwarding copy of Mr. Rickett's letter of the 20th ultimo, with transcript of your reply, No. 853 A, under date 25th June last, relating to the management of Ajmere.

2nd. The information called for by Mr. Ricketts, was supplied to that gentleman on the 1st Instant. There was some unavoidable delay in collecting the information from the different offices, I myself being absent from Ajmere, and the Deputy Collector being on duty 70 miles from Head Quarters. It is further necessary to observe, that information of the nature sought, had on no previous occasion been supplied to Government, hence some time was necessary in meeting the requisition.

3rd. As His Honor has been pleased to order the transmission of the annual Civil, Criminal, Police, and Revenue reports, for the years 1854 and 1855 to Mr. Ricketts, it would seem that all the necessary information has now been supplied, but to correct any omission on the score, I shall proceed to make a brief relation of events referring to Ajmere, since its transfer to British rule.

4th. On Ajmere being made over to us by the Mahrattas in 1818, the charge of the Province devolved on Mr. Wilder of the Civil Service, and who was detached from the Dehlee division for this duty. His salary was fixed at Rs. 2,500, he was shortly afterwards appointed Political Agent Jodhpore in addition to his Civil duties, and his salary increased to Rs. 3,000. Mr. G. R. Clerk was appointed his Assistant, on, I believe, Rs. 700 per mensem. The duties assigned to the Assistant were of a miscellaneous nature; although the responsibility of the Treasury devolved on the Superintendent, and he signed the monthly and other Treasury accounts forwarded to the Accountant General, the current business was transacted by the Assistant. All matters in the Foujdaree Department were forwarded to him. His authority extended to sentencing criminals to three years imprisonment, all thefts or robberies exceeding 300 Rs. in value, and Criminal cases of a heinous nature, were sent to the Superintendent for orders. The Assistant heard Foujdaree Appeals from the Senior Sudder Ameen, who performed the duty of

Commissioner Ajmere and Mairwara, Col. C. G. Dixon.

Assistant Magistrate, besides performing the duties devolving on a Magistrate. The Assistant had a certain share of Civil cases assigned to him. He was moreover available for any other temporary duty consigned to him by the Superintendent.

5th. The Superintendent performed all duties appertaining to a Collector, and the management of the Customs, he was Civil and Sessions Judge, and with the aid of two Sudder Ameens and a Pundit, conducted the administration of the Province.

6th. Mr. Wilder was succeeded by Mr. Middleton, Civil Service, and he by the Honorable R. Cavendish. Matters continued to be conducted in the manner above detailed until 1832, when Lieutenant Colonel Lockett, was promoted from Superintendent to Agent Governor General for the states of Rajpootana.

7th. At this juncture, a material change took place. Ajmere had heretofore been subordinate to the Resident at Dehlee. In respect to all matters calling for the orders of Government, the Resident was addressed, but in the general administration of the District, the Superintendent acted on his own discretion. The Agent Governor General was also, ex officio, appointed Commissioner of Ajmere, and the Superintendents salary was reduced from Rs. 3,000 to 1,000. The Assistant was discontinued, and in every, the most trifling matter, the Commissioner interfered. The Superintendent became, in a word, an Assistant to the Commissioner, under a different designation, in this manner matters progressed until 1840, when another material change was effected. It is however necessary at this juncture to take a glance at Mairwarah.

8th. Mairwarah gave so much trouble to the Ajmere authorities on the Province being handed over to us, and the injury committed on our subjects was so great, that it was determined to reduce that tract of Hilly Country by force of arms. In the course of two compaigns, the country was subdued, a Battalion of Infantry was raised, chiefly amongst the conquered Mairs and Captain (now Major General) Hall, C. B., was appointed to its command. This Officer further held Civil Jurisdiction over the Tract. His Civil Salary was fixed at Rupees 770. Colonel Hall continued in the exercise of his arduous duties, until forced to leave the place, owing to sickness early in 1835. I was selected by the Governor General to succeed this zealous and efficient Officer. Since that period, I have continued to apply all my energies to the furtherance of the Public weal.

9th. While matters of every kind were progressing most satisfactorily in Mairwara, the revenue increasing, and the people contented, affairs in Ajmere were retrograding, and after Colonel Sutherland in 1840 had closely examined both districts, he recommended to Government, that Ajmere be placed under my Superintendence, exclusively of Mairwara. He further suggested, that works of irrigation similar to those I was then constructing in Mairwara, be raised in Ajmere. In January 1841, my official connection commenced with Ajmere, in constructing works of irrigation, and managing all the Khalsa possessions that had become Kham. In February 1842, the management of the whole of Ajmere devolved on me; as the work of improvement contemplated to be effected was of a most arduous nature, Colonel Sutherland recommended that my Civil

Salary, as Superintendent of Ajmere and Mairwara, be fixed at Rs. 2,000 per mensem. This proposition received the cordial support of the Government of Agra: but the Governor General ruled, that it was desirable no additional expense should be incurred through this arrangement, seeing that two European Assistants were to be appointed to aid me in the important and arduous work of renovating Ajmere, which, through its extent, must occupy many years. My salary was therefore fixed at Rs. 1,200, Rs. 770, being the Mairwara Pay, and Rs. 430, as a return for all my labors in Ajmere. Of the two Assistants, the salary of the first was settled at Rs. 600, and the second at Rs. 500 per mensem.

Commissioner Ajmere and Colonel C. G. Dixon, Mairwara.

10th. With an Assistant at Ajmere and at Nya Nugger, I was free to attend to the improvement of the Country, for many years I was in Camp a portion of each month of the year, without reference to the season of the hot winds, rains, or cold weather, superintending works of irrigation or other agricultural improvements. A portion of the Office Establishment accompanied me and business was daily transacted. From time to time, a temporary sojourn was made at Ajmere and Nya Nugger, for the disposal of appeal cases, and the discharge of other necessary business. During this period, all public matters requiring reference to Government, were transmitted through the Agent Governor General and Commissioner. About the close of 1846, the late Hon'ble the Lieut. Governor visited Ajmere and Mairwara, and as it had long been apparent to him, that great delay necessarily ensued from my correspondence with Government going through him, while he was at a distance from Ajmere, he suggested to Colonel Sutherland, that the interests of the Public Service required, that the Civil administration of the Districts of Ajmere and Mairwara, should be separated from his superintendence. In this proposition Colonel Sutherland did not acquiesce. I was however desired to communicate directly with the Government, whenever delay in passing on my letters through the Agent Governor General should prove injurious to the Public Service. From that period, my communication with Government was, generally speaking, direct, until Colonel Low's succession to the Rajpootana Office, when his supervision was confined to the duties of Civil and Sessions Judge. On Colonel Low being transferred to the Hydrabad Residency, Ajmere and Mairwara were wholly and entirely severed from the Rajpootana Agency, and I was appointed Commissioner without increase of salary.

11th. The Government letters as per margin, referring to these subjects, as also Copy of the Court of Directors' letter regarding my continuance in Ajmere, on promotion to the rank of Regimental Colonel, are appended for the information of His Honor the Lieutenant Governor North West Provinces.

From Secy. Govt. India, to Col. Low, Agent Govr. Genl. Rajpootana, dated 11th December, 1848.
From Secy. Govt. India, to Col. C. G. Dixon, dated 28th January, 1853.

12th. I have thus traced in a hasty manner, the state of affairs as respects the European Officers, which has prevailed since Ajmere was transferred to British rule from the Mahrattas in 1818. From this sketch, it will be observed, that the Assistants have had control over the Foujdaree Department, to the extent exercised by Magistrates in the Provinces, that they have carried on the Current duty of the Treasury, and have

Commissioner Ajmere and Colonel C. G. Dixon, Mairwara.

been invested with certain powers to decide Civil cases, besides being available for any extra duty prompted by necessity, under orders of their superior. This course of duty has been observed by me, and my Assistants have performed duties analogous to those which were discharged in the time of Messrs. Wilder, Middleton, and Cavendish.

13th. It will be seen from the above, that the Superintendents have always retained the management of revenue affairs in their own hands. It was competent to me on my attaining the post of Commissioner, to have made over the management of the revenue of the Districts to my Assistants, a measure which might have conduced to my personal ease by relieving me of much laborious duty, as however agricultural improvements are still extensively progressing, the interests of the Public Service demanded, that private convenience should yield to public duty. The Assistants who have full occupation at, and rarely quit Head Quarters, could not be expected to carry on the details with that facility, and to the complete satisfaction of the people, as one who had made it his study and his calling during the last 21 years. Hence no alteration was made in the subdivision of duties. This explanation may suffice to account for the apparent anomaly mentioned by Mr. Ricketts.

14th. I may here observe, that the Civil and Criminal Statements are not a fair criterion of the amount of work performed by my Assistants and myself. A few brief notices may serve to support this assertion. Ajmere holds three Dargahs within its walls, the shrine of Khivaja Mueenoodeen Chistee, Meera Suyud Hussain and Peerdustgeer. The Khadives who are the attendants on these shrines, are said to amount to eleven hundred Families, all eat the bread of idleness, and all can write. These people are a source of constant trouble, and on the occasion of Hindoo Festivals, clashing with those of the Mahomedans, much care and determination are required to prevent a collision between the parties. At Pohkur, nine miles from Ajmere, there is a large body of Brahmins who, equally idle as the Khadives, are troublesome at times. Much trouble is again caused through the improvidence of the Istimrardars, who get involved in debt, and render our interference absolutely necessary in the management of their Estates, until the pecuniary embarrassments be removed. Independently of 72 Istimrardars, there are 54½ villages in Jageer, being endowments to Durgahs and Temples, or to their followers. All these matters occupy much of the time of the authorities, while the labor thus involved, is not accounted for in the Statements. I have made no mention of the time and labour required in attending to the Public Works of the Districts.

15th. As arrangements are now being matured for the future management of these districts, I would beg respectfully to submit to the consideration of His Honor, that the Curator of the Agra Government Library, be instructed to furnish Mr. Ricketts with a copy of the printed sketch of Mairwara. I would beg that that Gentleman, peruse the History of the Mairs, and read what has been done to win them over to habits of rural history.* From that work it will be seen what was the state of Ajmere, when that District was made over to my charge, and what is its present state. Surely it is politic, in-

* Sic in origine.

deed indispensably necessary, to look to the antecedents of these districts, to weigh well the present arrangements, and test their aptitude to the state of things, before any new plans of administration are determined on for the future. If it be desired, that existing arrangements be broken up to serve the ends of economy, it will be desirable to examine the subject in all its bearings, before a decision be made. It has been shewn above, that in 1832, when a change in the administration took place, the relative expense for the Districts was as follows:— Commissioner Ajmere and Colonel C. G. Dixon, Mairwara.

Ajmere Superintendent and Assistant 3,000 + 700	Rs.	3,700	0	0
Mairwara...	„	770	0	0
Total expence of European Officers...	„	4,470	0	0

The present charge is as follows:—

Exclusive of Pay and allowances as Commanding Mair Corps. } Commissioners Civil Salary	1,200	
Two Assistants	1,100	2,300
Saving since 1832.		2,170

But as the Assistants are Captains of the Line, and as they would receive their Regimental Pay and allowances if present with their Regiments, while no substitutes are provided, the real expense to the state is the sum paid to them beyond the amount of their pay and allowances. This sum amounts as follows:—

1st Assistants Regimental Pay and allowances.	Rs.	415	6	
Difference of Civil Pay.	„	184	10	600
2nd Assistants Regimental Pay and allowances.	Rs.	415	6	
Difference of Civil Pay.	„	84	10	500

According to this estimate, the state is charged 184-10 + 84-10 = 269-4-0, for the two Assistants employed in these Districts. It is proposed to supply the place of the European Officers by Sudder Ameens and Deputy Collectors. But for the actual money saved from the Treasury of India, Rs. 269-4-0 I would submit, that only subordinates could be maintained. On the score of economy, this plan must fail. But, in respect to the efficiency of the Military Officers and Uncovenanted Servants, no comparison can be made. The Mairs, though obedient to a European Officer, would demur in obeying the orders of an Uncovenanted Officer. Again in any collision between Hindoos and Mahomedans, neither Hindoo nor Mahomedan Officer, can by the tenets of his religion, give impartial orders. Mairwara, I presume to say, has paid for its full and entire superintendence, by its revenue having been more than doubled in my time. Ajmere also, by its increased means and appliances claims a like prerogative. I would with due respect, submit for His Honor's consideration, that the system of administration which now obtains, be not disturbed without full and ample grounds; so long as I remain at

Commissioner Ajmere and Colonel C. G. Dixon, Mairwara.

the head of affairs in these districts, the Mairs will be obedient and industrious, and Ajmere will continue to prosper. We cannot afford to risk a Sonthal insurrection, and all change, until a palpable improvement is fully and undoubtedly assured, should be deferred.

16th. The letter of Mr. Secretary Thomason, under date 18th May 1841, to the address of Colonel Sutherland, exhibits the feeling of the Government of Agra, as to the then state of the Ajmere Provinces. Happily since my services have been devoted to its renovation and social improvement, complaint has ceased, and prosperity has been, and is, increasing.

17th. I have to beg the forgiveness of His Honor the Lieutenant Governor in trespassing so long on his time on the present occasion, and for bringing my own name so prominently forward. I had no option to pursue an opposite course, for when it was proposed to risk the present good arrangements of these Districts, by withdrawing, at a future period, two of the European Functionaries, and substituting in their place Uncovenanted Assistants, my duty to the state, my desire to preserve their entire integrity our relations with the Mairs and people of Ajmere, coupled with an anxious wish, that the labour of myself and other Officers who have devoted their best energies towards the good of the country, should not be nullified, forced me to raise my humble voice, and place the true bearings of the Case before His Honor.

18th. According to the Revenue Statements last forwarded to Government, the Revenue stood as follows:—

Ajmere and British Mairwara.....	Rs. 5,29,826	0	8
Meywar and Mairwar, Mairwara....	Rs. 1,00,343	11	11
Total Revenue...	Rs. 6,30,169	12	7

I have, &c.,

(Signed) C. G. DIXON,

Commissioner.

AJMERE, COMMISSIONERS OFFICE,
The 12th July, 1856.

APPENDIX. No. 54

Miscellaneous Papers respecting the Regulation District of Jawad Neemuch

No. 120 of 1856.

Superintendent Jawad Neemuch, Captain B. P. Lloyd.

FROM

CAPTAIN B. P. LLOYD,

Supt. Jawad Neemuch.

To

H. RICKETTS, ESQUIRE,

Commissioner for the Revision

of Civil Salaries and Establishments,

throughout India.

NYNEE TAL.

Revenue Department. *Dated, Neemuch, 18th August,* 1856.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 432, dated 6th Current, on Saturday Evening, the day before yesterday only.

2. I regret that an error occurred in drafting my letter, No. 99, of the 25th July. In the 3rd para., I should have stated, that the Statement of powers had been furnished on the 9th July through Colonel Sir H. Lawrence, K. C. B., Commissioner, under orders from the Government, N. W. Provinces, instead of with my letter to your address, No. 74 of 17th June last.

3. I now proceed to answer your questions in detail.

4. My Native Assistant in the Criminal department, has the powers of a Magistrate, i. e., he can pass sentence of imprisonment for three years, and fine to Co 's Rs. 200,—appeal lies to me. In the Revenue Department, he has the powers of a Deputy Collector,—appeal lies to me. In the Civil department, he can decide suits to an unlimited amount,—appeal at present lies to me; but new rules for the Civil administration are under consideration.

5. My own powers are.—

1st. In the Criminal department, I can pass sentence to three years imprisonment, and fine of Co.'s Rs. 200, without reference to higher authority; I am also competent to pass sentence to fourteen years imprisonment, subject to confirmation by the Political Agent Meywar, and, subject to similar supervision, my powers to fine are not limited,—an appeal beyond the Political Agent, Meywar, would lie to the Agent Governor General Rajpootana, and to the Government N. W Provinces.

2nd. In the Revenue Department, I have the powers of a Collector, subject to

Superintendent Jawad Neemuch, Captain B. P. Lloyd.

appeal to the Agent Governor General for the states of Rajpootana in his capacity of Commissioner.

3rd. In civil cases, I can dispose of original claims without limit as to amount—and I hear appeals from my Native Assistant, and from the decisions of the Pergunnah Courts held by the Tehseeldars.

4th. From my decisions in original suits, an appeal lies to the Political Agent Meywar, (under the proposed rules, the *Commissioner* is the appellate authority,) and a special appeal from my orders in appeal cases may be referred to the same authority.

6. In reference to the 9th para: of your letter under reply, I beg to state, that the Courts I alluded to, were the "Pergunnah Civil Courts," held by the Tehseeldars—hitherto they have been two in number, and the Tehseeldars decided Suits up to Rupees 400. A third Tehseel and Pergunnah Court has recently been sanctioned, and an increase of power is proposed, but final orders on the subject have not yet been received. The appeals from these Courts are now heard by me, but it is proposed to transfer this duty to the Native Assistant; a special appeal lying to the Political Agent, or Commissioner, whichever may be nominated the appellate authority.

7. I enclose a Statement of the business done during the last three years and shewing the average number of cases decided.

8. Trusting this information will be found satisfactory.

I have the honor to be, Sir,

Your most Obedient Servant,

JAWUD NEEMUCH, SUPT. OFFICE,
Revenue Dept. Neemuch, 18*th August*, 1856.

B. P. LLOYD,
Supt. Jawad Neemuch.

APPENDIX. No. [illegible]

Miscellaneous Papers respecting the non Regulation District of Nimar

No. 1687.

Political Assistant Nimar, Sir R. N. C. Hamilton, Bart.

FROM

SIR ROBERT HAMILTON, BART.

Agent Governor General for Central India.

To

HENRY RICKETTS, ESQ.,

Commissioner for the Revision

of Civil Salaries and Establishments

throughout India.

Dated, Indore Residency, 28th July, 1856.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 340, dated 30th Ultimo, and to forward to you Copy of one from the Political Assistant in Nimar.

2. I take this opportunity to state, that the Province of Nimar is a non Regulation District, and therefore to define the exact powers of the Officer holding the appointment of Political Assistant is difficult.

3. It may be said generally, that within the made British Pergunnahs, he exercises the powers ordinarily vested in a Magistrate and Collector of the Regulation Provinces.

4. That all appeals from his orders lie to the Agent to the Governor General, to whom heinous cases are committed for trial by the Political Assistant.

5. The duties in Nimar are alike onerous and various. There is only one covenanted or Military Officer in the Province, and Scindiah pays the expenses of administration within his districts.

I have the honor to be, Sir,

Your most Obedient Servant,

R. N. C. HAMILTON,

Agent Governor General for Central India.

INDORE RESIDENCY,
28th July, 1856.

L340.

APPENDIX. No. [illegible]

Miscellaneous Papers respecting the Non-Regulation District of Nimar

(COPY.)

No. 121 of 1856.

Political Assistant Nimar, Lieutenant R. H. Keatinge.

FROM

LIEUT. R. H. KEATINGE,

Political Assistant in Nimar.

To

SIR ROBERT HAMILTON, BART.,

Agent Governor General for Central India.

Dated, Mundlaisur, 24th July, 1856.

SIR,

With reference to Mr. Rickett's letter, No. 340, dated 30th June 1856, to your address, asking what sort of duties are exercised by the Political Assistant in Nimar, in the country extending over an area of 3,658 square miles, besides that portion under British management.

I have the honor to inform you, that the portion of the Nimar Agency under British management, extends over 3,122 square miles, and the remainder is occupied by the Territories of Native states, in which the Political Assistant exercises general political control under the direction of the Agent Governor General for Central India. These duties are all of a general nature. The states in question, are Holkar, Dhar, Dewass and Scindiah.

2. The Holkar and Dhar Pergunnahs in question are so near to the main body of their respective states, that instances where it is necessary to interfere in their internal management are very rare, but a good deal of correspondence takes place with reference to international cases. Boundary disputes are of constant occurrence, and cases of restoration of property, and claims against cultivators who have emigrated from one state to another are frequent, such cases are usually settled by calling all parties into Mundlaisur, where their differences are settled by the intervention of the Vakeels of the states concerned.

3. Dewass has a small District of 6 Villages, besides that under British management, which is so isolated, that all Police and other reports are made to the Political Assistant at Mundlaisur, but in Revenue matters, he does not interfere.

4. Scindiah's Districts South of the Tapty, cover a large extent of ground. They are quite surrounded by British Districts, and though managed by the Durbar all correspondence regarding them with the authorities in Candeish and in Berar, pass through the Political Assistant; these are generally matters unimportant in themselves, such as the restoration of stolen property, the transfer of petty offenders, and matters of boundary.

2350

APPENDIX. No. 656

Miscellaneous Papers respecting the Non-Regulation District of Nimar

Political Assistant Nimar, Lieutenant R. H. Keatinge.

5. The payment and superintendence of the guaranteed Bheel Chiefs of Zeinabad and Edulabad also rests with the Political Assistant.

6. You will thus perceive, that though the duties here enumerated, cannot be divided into regular Heads of Revenue and Judicial work, they are of a nature to afford a good deal of occupation.

I have, &c. &c.,

NIMAR AGENCY, MUNDLAISUR, *The 24th July*, 1856.

(Signed) R H. KEATINGE,

Political Assistant in Nimar.

(A True Copy.)

R. JENKINS,

Offg. 1st Asst. Agent Govr. Genl. for Central India.

APPENDIX NO. 654

Small Cause Court, Calcutta.

No. 216.

To

HENRY RICKETTS, Esq.,

Commissioner for the revision of Civil Salaries and Establishments throughout India.

CALCUTTA COURT OF SMALL CAUSES, *the 28th May*, 1857.

SIR,

I have the honor to acknowledge the receipt of your letter from Madras of the 30th Ultimo, forwarding a passage, relative to the Small Cause Courts, which you propose to insert in your report, and expressing your desire to know whether any of the arrangements therein proposed appear to be unsuitable, and whether I can suggest any alterations which will add to the efficiency of the Courts, or decrease the expense.

2nd. I have to apologize for having delayed my reply from the 12th, when I had the honor of receiving your letter. I wished to consider the matter more carefully than I could at the time when your letter arrived.

3rd. With reference to your statement of my representation on the subject of my salary, I may be permitted to say, that I do not think that the strength of the case, as I stated it in my letter, of the 1st July 1856, lies simply in the comparison which I drew, and which you quote, between my duties and those of a County Court Judge of a large district in England. I rather think that the peculiarity of the case rests in this: that whereas my duties are, from the circumstances I mentioned, more trying than the duties of such a Judge at home, my salary is not much larger; while it is difficult to mention any other office in India in which a much higher rate of pay is not considered reasonable than is paid for similar duties in England. The whole scale of allowances, I believe, has always been arranged on the principle that higher remuneration is fairly claimable in this country. You propose that my salary should be raised to Rs. 20,000 a year, "on grounds recognized in other cases," the appoinment being in Calcutta. But this addition will not make the salary equivalent to the £1,500 a year paid to similar offices in England. In very many, if not in most cases, offices in India similar to English offices, are paid at double the rate that is usual there. But I have made no application for any such rule being applied to mycase. I do think however, that Rs.2,000 a month would be a reasonable salary for my appointment.

4th. Moreover, I represented that the salary attached to my office, was not assimilated to that of other offices of similar labor and responsibility in

this country. I believe that the comparison I instituted between my office, and that of a Zillah Judge, or the Chief Magistrate of Calcutta, was a just one; yet their salaries certainly were very different. I may be mistaken, but I do not think, that in respect of the qualifications required, or the labor, the responsibility, and the wear and tear of mind they occasion, my office is inferior to that of the Master, or the Prothonotary of the Supreme Court, the Clerk of the Legislative Council, the Magistrate of the Twenty-four Pergunnahs, the Inspector of Prisons, the Legal Remembrancer, the Collector of Customs, the Salt Agents, or the Director of Public Instruction. But the Master and Prothonotary of the Supreme Court, and Collector of Customs are paid Rs. 36,000 each, and all the others, Rs. 30,000; yet I am paid, and even with your proposed addition of Rs. 2,000 a year, I shall still be paid, much less.

5th. I may add that in now settling the salary of my office, it appears to be desirable to consider not only its present position, but also its future prospects so far as they can be ascertained with certainty. And on this point I beg leave to mention, that whereas on the 1st July, last year, I stated that in the previous year the Court to which I belong had credited to Government, Rs. 91,000 while its establishment cost only Rs. 1,03,000, and that 27,000 cases had been instituted in it, the amount in litigation having been Rupees 6,33,241; in the year 1856-57, which has just closed, the number of cases reached, 28,600, the amount in litigation having been Rupees 7,38,111, and the fees credited to Government, so far as I can at present ascertain, were within a thousand Rupees of the cost of the establishment. In retracing the progress of the Court, I find that there were 21,323 cases in 1850-51, yielding to Government only Rs. 58,960 against, 28,666 cases in 1856-57, yielding more than a lakh; and the following brief table will shew that the most remarkable increase has taken place in cases for the higher amounts:—

		1850-51	1856-57
Cases above Rs. 100 and under Rs. 200	...	480	903
Ditto „ 200 and under „ 300	...	186	331
Ditto „ 300 and under „ 400	...	86	173
Ditto „ 400 and under „ 500	...	67	161
		819	1,568

With any thing like a similar progress in the next five years, the Court may yield the Government a considerable revenue, and the number of its higher cases may involve a largely increased amount of labor.

6th. The principle that parties doing the same work should receive the same rate of pay, I may be allowed to say, I have always thought requires to be guarded by the condition, that the rate of pay fixed, should be equitable

pay for the given kind of labor. Having ascertained that, it is certainly fair, when good cause cannot be shewn for a difference, to pay all the parties doing that kind of work at the same rate. But in the case of this Court, and I believe in the case of the Bombay Court, that condition, I venture to think, has not yet been fulfilled. The case of Madras may be special, because the Supreme Court I believe did, and perhaps still does, much of the work of the Small Cause Court.

7th. With reference to the decrease of Judges of the Bombay Court, on the ground that that Court in 1855-56 had only 13,489 cases, I would observe, that it is desirable to ascertain how many cases were actually tried. In this Court in 1855-56 out of our 27,000 cases, our report showed that there were compromised out of Court before hearing, or struck out on account of absence of parties, no less than 11,490; and our next report will probably contain a similar statement. The number instituted is a fair test of the labor of the subordinate establishment, from the Chief Clerk downwards; but if we actually tried only 16,000, cases the difference between the labor of the Judges here and at Bombay, may not be so great as at first sight appears.

8th. I regret that you contemplate recommending a reduction of our Chief Clerk's salary. I have always been very desirous to have so intelligent and respectable a person in that appointment, that he might be available to the Government for a Judge in future years. Recently when Mr. King, our Third Judge, applied for sick leave, our present clerk, Mr. Temple, applied for the acting appointment, and in the expectation that he would be appointed, I made enquiries respecting persons likely to succeed him. I had in view Mr. Hollingberry, the Registrar of the Military Audit office, Mr. Belchambers of the Supreme Court, and an Attorney of very respectable character, and I should have been sorry if we had not obtained the services of a person of that class. But I do not think we could easily get one, and certainly we could not expect long to retain one, under the salary of Rs. 750 a month. The office of Chief Clerk here in fact involves great responsibility, and a very great and constant trial of temper, discretion, steady industry, and good sense.

9th. I regret too the proposal to reduce the salary of the Judges' clerks in this Court. I have all along felt it to be very desirable to have a superior class of persons for this work, for it is by them that the record of the Court is kept, and if they be not thoroughly trustworthy and intelligent, the greatest inconvenience and disorder may follow. I look on this as a point of great importance. I believe too that it is sound policy in all public establishments to have gradations of offices, so that the hope of rising from one step to another, may animate the officers to exertion. My own present clerk was promoted from an inferior office, and I believe that his hope of succeeding to the Deputy Clerkship on Rs. 300 a month, and the hope entertained by others, who now have Rs. 200, of gaining by and bye his Rs. 250, act as a wholesome stimulus.

APPENDIX NO. 6.33

Small Cause Court, Calcutta.

10th I have to express my great satisfaction at your proposal of a third Interpreter. The native Judge may be supposed not to require one, but when it is considered that in cases between Europeans and Natives, cases between Up-country men and Bengalees, and cases in which Barristers and Attornies attend, he is practically the Interpreter, it will be seen that the exertion is often harassing and exhausting I know that my colleague, Hurro Chunder Ghose, is desirous of the assistance of an Interpreter, though in our official letter he did not specially apply for one.

11th I beg leave to thank you for the opportunity you have been good enough to afford me of expressing my views, and

I have the honor, to be,
Sir,
Your most obedient Servant,
(Signed.) MACLEOD WYLIE,
First Judge of the Calcutta Court of Small Causes

APPENDIX NO. 658

Small Cause Court, Madras.

FROM

The Judges of the Madras Court of Small Causes,

To

H. RICKETTS, ESQ.,

The Commissioner for the revision of Civil Salaries and Establishment throughout India.

MADRAS, 19*th June*, 1857.

SIR,

In accordance with your request, we have now the honor to state to you our opinion on the changes in our court proposed by your draft report, and to make our suggestions as to the improvements we should desire to see carried out. We see no reason for the proposed change of separating the two offices of assistant clerk, and cashier. The present incumbent, it is true, has a large salary Rs. 350, but Rs. 150 of it is a personal allowance, granted to him in consideration of his having held in the old Court of Commissioners an appointment as Registrar, with a salaryof Rs. 350 per mensem. His successor in the united offices would only receive Rs. 200 per mensem. As assistant clerk he has nothing whatever to do as long as the chief clerk is well enough to attend at the office, and it would be very desirable to have as cashier a high grade of official, such as we could not secure for Rs. 100 per month.

Some confusion appears to have arisen between the terms Judges' clerks and interpreters, from the fact of the three interpreters employed at Rs. 70 per month being also styled Judges' clerks. Our interpeters' establishment is at present composed of the following officers, and we do not think it expedient to make any change in it, save an increase of allowance to the Persian and Hindoostanee Interpreter, as hereinafter proposed by us :—

	Rs.
1st Interpreter, ...	175
Persian and Hindoostanee ditto, ...	70
1st Judge's Clerk and Interpreter, ...	70
2nd ditto ditto ditto, ...	70
3rd ditto ditto ditto, ...	70

The duties of the above officers are as follows :—

The 1st Interpreter usually acts as interpreter in the 1st Judge's court where the most important business takes place, and serves as a *referee* in case of any difficult or disputed point occurring in any interpretation or translation, and we think it essential that we should be enabled, by the offer of a high salary, to retain at least one thoroughly competent and efficient person on the interpreters' establishment. The 1st Interpreter is also able to interpret

in Hindoostanee, and without his assistance as Hindoostanee interpreter, one of the three Courts would constantly be brought to a stand still, as one Hindoostanee Interpreter is not sufficient for their requirements. The term Persian and Hindoostanee Interpreter sufficiently explains that functionary's duties. The 1st Judge's Clerk and Interpreter, is available as an Interpreter in any Judge's Court, when an Interpreter may be sick or absent from his duties, and also relieves the 1st Interpreter when exhausted. He also has the duty of attending to the calling over the causes, and apportioning them out with the respective documents filed, each day, to the several Judges, and his other functions consist in attending as registrar to all the orders made in the 1st Judge's Court, which is the only one in which all the Judges sit together for the hearing of applications for new trials, and such other matters as are determined upon by a full Court, and more than ordinary intelligence is required for the performance of these duties.

The Interpreters and Judges' Clerks of the 2nd and 3rd Judges, act as such in their respective courts, assisted by the two assistant clerks. It will thus appear, that the 1st Interpreter's duties, and those of 2nd and 3rd Judge's Clerks and Interpreters, are not identical, and we consider the establishment more efficient as at present constituted, with its three moderately accomplished interpreters, and one thoroughly competent interpreter, than it would be under the proposed change.

With regard to the improvements we suggest, we consider that two Judges, with the Chief Clerk, authorized to try *exparte* cases, and causes not exceeding Rs. 10, would be sufficient to perform the duties now performed by three Judges.

Of late the number of causes instituted in the Madras Court of Small Causes has considerably diminished; but even should they again increase, we consider that two active Judges, with the Chief Clerk's assistance, would be able to prevent the business of the Court from falling into arrears; but as this would materially increase the Chief Clerk's labors, and we cannot expect to be always fortunate enough to secure so able an officer as our present Chief Clerk, at his present low salary Rs. 650, it would be necessary to raise the salary of that officer.

By Act IX of 1850, Section LXXXI, the Chief Clerk is required to make a fair copy in a book of all writs, summonses, judgments, &c., which he now does by copying out the cause list, a specimen sheet of which we send you. You will observe the defence and the judgement are in a Judge's own hand writing, and the copying this list into a book only increases the chance of error In practice the book is never referred to, as a copy of the record is made by

APPENDIX NO. 658

Small Cause Court, Madras.

Section LXXXI, of Act IX of 1850, the proper mode of giving a record of the Court in evidence. We propose the abolition of this useless practice, and thereby we should be able to dispense with some part of the establishment now employed in copying out our numerous records. But these changes will require the sanction of the Legislative Council, and if you approve of them, we shall be glad to adapt Act IX of 1850 to them, together with other alterations not affecting the cost of the Court.

The Persian and Hindoostance Interpreter is, and has been a most able officer. He has now been more than twenty-five years in the public service. His salary as Interpreter in the old Court of Commissioners, which only sat twice a week, was the same as that which he now has, and he is now obliged to attend every day, and he complains, and we think with justice, that his means are very much straitened, as he is not now able to give lessons as a moonshee, from his daily attendance at court, as he previously was able to do, and we accordingly recommend that his salary should be increased to Rs. 110.

We subjoin a statement of the changes proposed by us, by which Rs. 9,648 per annum would be saved to the state :—

Present establishment.	Rs.	*Proposed establishment.*	Rs.
3 Judges, ...	3,500	2 Judges	2,500
1 Clerk, ...	650	1 Clerk, ...	1,000
Assist. ditto and Cashier,	350	Assist. ditto and Cashier,	200
Persian and Hindoostanee Interpreter, ...	70	Persian and Hindoostance Interpreter, ...	110
3 Copying Clerks	44		
Rs.	4,614	Rs.	3,810
Deduct proposed Establishment,	3,810		
Saving per month, Rs.	804		
or per annum, Rs.	9,648		

With regard to the proposed increase of salary to the 1st Judge of the Calcutta Court, it may be remarked, that if the changes proposed by us at Madras, and by yourself at Bombay, be carried out, the 1st Judge in each Court must necessarily be invested with supreme authority, and in such case, it would seem for the reasons assigned for the proposed increase of salary to the 1st Judge of the Calcutta Court, he would likewise be entitled to an increase of salary.

In conclusion we would beg to call your attention to the very unsatisfactory position in which the Judges of the Small Cause Court, or at least

those who have received regular legal education and training, are placed with regard to retiring pensions. It is understood that they are now on the footing of Law Officers of the Company, and only entitled to a retiring pension when disabled by disease or infirmity, and after a fifteen years' service.

It will be found that the 1st Judges of the several Courts have begun their duties at an age, and after an educational training, not very dissimilar from those of the Judges of the Supreme Courts in India, and after five years' service, the latter functionaries are entitled to a retiring pension, and we would respectfully ask, that the principles of the act Geo. IV Chap. 85, Section 7. *et sequentia* should be applied to the respective Judges of the Small Cause Courts, so as to afford them some chance and hope of living long enough to enjoy a retiring pension, however small the amount might be. We are not acquainted with the ages of the 1st Judges at Bombay and Calcutta, but the 1st Judge at Madras would be upwards of 60 years of age, before he could ask for a retiring pension in 1870, although his residence in India commenced in 1839.

We have the honor, to be,
Sir,
Your most obedient Servants,
RICHARD BURGASS.
J. HULET.
W. H. ROSE.

APPENDIX NO. 658

Madras Court of Small Causes, holden on Tuesday the 9th June, 1857.

No.	Plaintiffs.	Date and return of Summonses.	Defendants.	Particulars of claim.	Defence.	Plaintiffs' Costs.			Defendants' Costs.			Judgment and Costs, and for whom.	Other Proceedings.
				H. Allen, Bailiff. Rs. 13 4 0.									
R. 6848.	Cundasamy Chetty, residing in Black Town, ...	29th May, ... 9th June sued personally 2nd June 1857, ...	H. A. D'Silva, residing in Black Town, within the local jurisdiction of this Court. ...	Due on Defendants five acknowledgments respectively, dated 19th September and 5th, 7th, 9th and 25th October, 1856.	Sworn *Exparte*, ...	2	0	0	...	...	...	Judgment for Plaintiff for thirteen Rupees and four annas with costs. Fourteen days imprisonment.	
				Ravanojee Bailiff. Rs. 3 15 0.									
6849.	Ditto, ...	1st Defendant sued personally on the 4th June 1857, ...	Amoorthasunjeevo Chetty and Malayappa Chetty, residing in Black Town, within the local jurisdiction of this Court. ...	Balance due for Beer sold and delivered to Defendant, between 25th and 30th March 1854 for Rs. 28 15 0 giving credit for Rs. 25, received on account during the above period.	Affirmed *Exparte*, ..	0	10	0	...	...	...	Judgment for Plaintiff against 1st Defendant only for three Rupees and fifteen annas with costs. Fourteen days imprisonment.	Malayappa Chetty not sued.
				M. Mooneappa, Bailiff. Rs. 11.									
6850.	Moonesamy Naik, residing in Royapooram, ...	Sued personally 2d June 1857,	Yagappa Butten residing in Royapooram, within the local jurisdiction of this Court. ...	Balance due on Defendants Tamil instrument in writing dated 2d Chittray Nala (or 14th April 1856,) for Rs. 15 4 giving credit for Rs. 4 4 0 received on account on the same date.	(Only 6 Rs. are due,)	1 0	10 4	0 0	... ...	... ...	... ...	Judgment for Plaintiff for eleven Rupees with cost payable 9th July in default.	
						1	14	0	...	...	...	Fourteen days imprisonment.	
				Syed Auser, Bailiff. Rs. 8 8 0.									
R. 6851.	Mohomed Kulleeloolah Saib, residing in Meersahpettah,	1st and 2d Defendant, sued personally on the 2d, and 3d Defendant on 4th June 1857,	Sheik Mohomed, Mohomed Ally and Goolam Cauder, residing in Meersahpettah, within the local jurisdiction of this Court. ...	Balance due on Defendant's promissary note, dated 1st August 1856, for Rs. 10 giving credit for Rs. 1 8 0 received on account.		1	4	0	...	..		Settled half costs.	
				Syed Auser, Bailiff. Rs. 15.									
6862	Mohomed Cawsien, residing in Tuplicane, ...	Sued personally 2d June 1857,	Thunshee, residing in Tuplicane within the local jurisdiction of this Court, ...	Rs. 12 due for Buffaloe sold and delivered to Defendant on 10th October 1855 and the remaining Rs. 3, for money ent onl 20th October 1855.	Affirmed *Exparte*, ...	2	2	0	...	..	...	Judgment for Plaintiff for fifteen Rupees with costs. Fourteen days imprisonment.	

Appendix No. 659

SMALL CAUSE COURT, BOMBAY.

No. 22 of 1856.

To

HENRY RICKETTS, Esq.

Commissioner for the Revision of Civil Salaries and Establishments,
CALCUTTA.

SIR,

I HAVE the honor to reply to your letter dated 30th ultimo.

2nd. A statement* is herewith forwarded, shewing the number of suits instituted, and the amount litigated during the last three official years.

3rd. No correspondence is to be found on the records of the Court, to shew why the salaries of the 2nd and 3rd Judges were fixed at a lower scale at Bombay than at Calcutta and Madras. At the time of the establishment of the Court in 1852, our late 2nd Judge, Mr. West, held the office of Clerk of the Small Cause side of the Supreme Court, and our present 2nd Judge, Mr. Johnson, held that of Clerk and Commissioner of the Court of Requests. They were appointed 2nd and 3rd Judges, on salaries of Rupees 500 per mensem each, with a personal monthly allowance to the former of Rupees 1,000, and to the latter of Rupees 500, in lieu of compensation for the loss which they had sustained by the abolition of their former offices. As by these personal allowances their salaries were made equal to those drawn by the Judges at the other Presidencies, the inadequacy of their fixed salaries was not, I apprehend, then considered a matter of much consequence, and no representation on the subject was therefore made to Government. I may mention, however, that much inconvenience was occasioned during the absence of the late Mr. West on sick leave, for eight months in the year 1855, when, owing to the smallness of the allowance of Rupees 250 per mensem, available for the remuneration of the Acting Officer, the services of a competent *locum tenens* could not be obtained, and the office consequently remained vacant. My predecessor, Mr. Crawford, in a letter dated 7th October 1854, in reporting on a memorial from the Bombay Association for the reduction of the Institution Fee of the Court, drew the attention of

* Enclosure No. 1.

Government to the necessity of providing for the augmentation of the salaries of the 2nd and 3rd Judges which would be required, whenever their appointments became vacant. An Extract* from Mr. Crawford's letter, as well as a copy of a communication which I addressed to Government on the 25th June last, respecting the amount of augmentation necessary to be made, are annexed.

4th. In proposing the employment of Judges' Clerks, it was recommended that Europeans on salaries of Rupees 80 per mensem each, should be appointed, but the Government in sanctioning the proposal, fixed the salaries at Rupees 40 as an amount for which they considered that efficient young men might be obtained from among the native pupils of the Elphinstone Institution. On an application, however, from these Officers for an increase of salary, Government expressed their willingness to take their claims into consideration whenever the compensation allowances of the Judges ceased, or an increase in the Court Fees or other favorable circumstance, rendered an increase of expenditure justifiable, a copy of the correspondence† above alluded to is herewith forwarded.

5th. Fearing that a misapprehension may possibly arise from the perusal of my letters of the 14th and 25th of June respectively, I think it as well to mention that the statement of the disbursements of the Court given in the 4th para., of the former, included the personal allowances or compensation to the 2nd and 3rd Judges, whilst in stating to Government in para. 6 of the latter, that the funds of the Court would be more than sufficient to meet the augmentation therein proposed to be made to the salaries of the 2nd and 3rd Judges, and of the Clerk of the Court, I excluded those allowances from the disbursements. I append for your information an abstract statement‡ of the receipts and charges of the Court including Judges' salaries, Establishment, office rent and petty supplies, but excluding compensation for each year from 1852-53 to 1855-56, and also for the first six months of the current official year.

I have the honor, &c.,

(Signed) JAMES F. HORE,

First Judge.

BOMBAY, COURT OF SMALL CAUSES, 19*th Nov.*, 1856.

* Enclosure No. 2. † Enclosure No. 3. ‡ Enclosure No. 4.

Appendix No. 659

SMALL CAUSE COURT, BOMBAY.

ENCLOSURE No. 1.

Statement showing the number of suits instituted, and the amount litigated in the Bombay Court of Small Causes, during the years 1853-54 to 1855-56.

Year.	Number of suits instituted.	Amount litigated.			Number of distress warrants issued.	Amount of rent claimed.		
1853-54.	10,861	5,21,003	4	0	0	0	0	0
1854-55.	11,284	4,88,223	5	8	3	158	0	0
1855-56.	13,489	5,63,688	3	9	13	913	0	0

(Signed) JAMES F. HORE,
First Judge.

Bombay, Court of Small Causes, *19th November*, 1856.

ENCLOSURE No. 2.

Extract from Para. 11 *of a letter from William Crawford, Esquire, First Judge of the Bombay Court of Small Causes, to the Secretary to Government in the Judicial Department, No.* 17, *Dated 7th October* 1854.

11th. In conclusion, I would beg to direct the attention of His Lordship in Council to the point that the salaries of the 2nd and 3rd Judges are respectively Rupees 500. This is of course, but a temporary measure in Bombay, resulting from the employment as Judges, of the Clerks of the abolished Small Cause Court, and Court of Requests, who receive respectively Rupees 1,000 and Rupees 500 compensation, in addition to their salaries; whenever therefore, the present incumbents shall from any cause, vacate their Judgeships, it is not at all probable that qualified or efficient successors can be found, to accept Rupees 500 per mensem as a remuneration for the devotion of their entire time and talents, indeed it would be absurd to expect it. If therefore, the Judges' salaries are to be hereafter augmented, it would be wise to make provision to meet such increase, for if you once reduce taxation in any shape, we know how very unpalatable to the public, is a recurrence to the old obnoxious abrogated scale.

No. 15 of 1856.

Judicial Department.

To

The SECRETARY to GOVERNMENT, BOMBAY.

Sir,

I have the honor to acknowledge the receipt of a copy of Government Resolution No. 2046, dated 16th instant, calling for my opinion as to what increase, with reference to the receipts of the Court, should be made to the salaries of the Second and Third Judges and of the Clerk of the Court, and beg to offer the following observations in reply.

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Abstracts No. 659

SMALL CAUSE COURT, BOMBAY.

2nd. The question referred to me for consideration is one which I humbly and with all due deference submit, ought on principle, to be treated as one entirely of an abstract character, and without any reference to the receipts and disbursements of the Court, but as the receipts will, in all probability, prove sufficient to meet the additional expense, which I am about to propose as the amount of augmentation proper to be made to the salaries of the Second and Third Judges and of the Clerk of the Court, it is unnecessary to endeavour to enforce by argument the opinion I have formed on this subject.

3rd. The business of the Court is conducted by the Judges sitting separate and apart from each other, and no law or rule prevails requiring any particular class of cases, on account of their difficulty or of the importance of the questions involved in them, to be tried by the First Judge, though the Puisne Judges are at all times entitled to the opinion and assistance of the Chief Judge if solicited or required by them. The Second and Third Judges must therefore be men of learning and ability, capable of disposing of any suit which may be instituted in the Court and brought before them; must be men of respectability, position and integrity, and the whole of their time and talents must be devoted to the business and service of the Court. No European thus properly qualified would, I apprehend, be disposed to apply for the appointment of Second or Third Judge were the remuneration attached to the office to be fixed at a smaller salary than Rupees 1,000 per mensem; nor in my estimation, would a less salary than Rupees 800 a month hold out a sufficient inducement to a native equally qualified to offer himself as a candidate for the same appointments.

4th. As regards the augmentation to be made to the salary of the Clerk of the Court, I consider that any salary less than Rupees 600 a month would be an inadequate remuneration for the services required of him. I would mention that two Clerks are employed in the Courts at Calcutta and Madras to discharge the same duties as are performed here by Mr. Spencer alone, that the salaries of the Clerks at Calcutta and Madras are Rupees 750 and Rupees 650 per month respectively, and that this is the only one of the three Small Cause Courts in India which is self supporting. The duties of the Clerk of this Court are quite as arduous and responsible as those which devolve upon the European Clerks at Calcutta and Madras, as the returns from the respective Courts will clearly shew, and it appears to me a matter of importance that the salary of the situation should be such as will at all times command the services of a man of ability, industry and strict integrity.

5th. I am therefore of opinion than an increase of Rupees 500 per mensem should be made to the salary of Rupees 500 at present paid to Mr. Johnson the Second Judge. That an increase of Rupees 300 per month, should be made to the salary of Rupees 500 at present paid to Mr. Manockjee Cursetjee, the Third Judge of the Court; and that an increase of Rupees 200 a month should be made to the salary of Rupees 400 at present paid to the Clerk of the Court. The total amount of augmentation to the three salaries being Rupees 1,000 per mensem.

6th. From the annexed Statement, it will be seen that the net receipts of the Court, after allowing for Judges' salaries, expenses of Establishment, Office rent and petty supplies (but exclusive of the compensation allowances of Rupees 1,000 and Rupees 500 to the late Mr. West and to Mr. Johnson respectively, which I have omitted as not in my opinion, forming a proper charge against the Court) have averaged, during the four years the Court has been established, Rupees 12,548-9-8 per annum, or Rupees 1,045-11-5 per mensem. But it will be observed that the net receipts for the official year ending 30th April last, have greatly exceeded those of the two former years, and as there is every reason to suppose that the receipts of future years will nearly equal those of last year, it is certain, I think, that the

funds of the Court will hereafter be more than sufficient to defray the extra charges which I have above proposed.

I have the honor, &c.,
(Signed) J. F. HORE,
First Judge.

BOMBAY, COURT OF SMALL CAUSES, *25th June*, 1856.

(True Extract and Copy.)
(Signed) JAMES F. HORE,
First Judge.

ENCLOSURE No. 3.

Extract Para. 4 *of a letter to the Secretary to Government dated* 16*th July*, 1852.

4th. Of the necessity for the employment of these Officers (Judges' Clerks) I cannot entertain a reasonable doubt, and as the business of the Court requires that the Judges should sit separately, this necessity becomes the more urgent, I would therefore beg very respectfully and earnestly to recommend that three respectable and intelligent Europeans be entertained as Judges' Clerks on salaries of Rupees 80 each.

Extract para. 3rd of a letter from the Secretary to Government in the Judicial Department No. 7007, dated the 4th September 1852, to W. Crawford Esquire, First Judge of the Bombay Court of Small Causes.

3rd. Under this arrangement it will be indispensably necessary that each Judge should be allowed a separate Clerk. But instead of Europeans on salaries of Rupees 80 each, His Lordship in Council believes that efficient young men might be obtained from among the native pupils of the Elphinstone Institution at Rupees 40 each per mensem. He accordingly sanctions the employment of three Clerks on the lower salary subject to the confirmation of the Government of India.

No. 3634 OF 1855.

Judicial Department.

To

THE FIRST JUDGE OF THE COURT OF SMALL CAUSES.

COPY of the Resolution passed by Government on a letter from the First Judge of the Court of Small Causes, dated the 23rd February last, No. 11, recommending an application from the Judges' Clerks for an increase to their salary.

That the Right Honorable the Governor in Council is not disposed at present to submit any recommendation to the Government of India for an increase to the salaries of the Petitioners, but he will be willing to take their claims again into consideration whenever the present charges on the Court for compensation to 2nd and 3rd Judges shall have ceased, or whenever the increase of the Court Fees or other favorable circumstance shall render an increased expenditure justifiable.

(Signed) H. L. ANDERSON,
Secretary to Government.

BOMBAY CASTLE, *16th August*, 1855.

(True Extracts and Copy)
(Signed) JAMES F. HORE,
First Judge.

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Appendix No. 639

SMALL CAUSE COURT, BOMBAY.

ENCLOSURE No. 4.

Statement showing the Receipts and Disbursements of the Bombay Court of Small Causes, from 1852-53 *to* 1855-56.

Year.	Cost of the Court including judges' salaries, Establishment, office rent and petty supplies.			Fees realized.			Surplus.		
1852-53, ...	60,752	2	7	80,628	13	5	19,876	10	10
1853-54, ...	62,439	12	3	70,150	1	7	7,710	5	4
1854-55, ...	62,844	15	0	68,840	7	10	5,995	8	10
1855-56, ...	63,635	11	1	80,247	9	9	16,611	14	8
Total Rs.	2,49,672	8	11	2,99,867	0	7	50,194	7	8

Statement showing the Receipts and Disbursements of the Bombay Court of Small Causes, during the first six months of the year 1856-57.

Month.	Cost of the Court including Judges' salaries, Establishment, office rent and petty supplies.			Receipts.			Surplus.			Deficiency.		
1856.												
May, ...	5,678	13	6	4,313	13	8	0	0	0	*1,364	15	10
June, ...	5,354	12	10	8,563	10	1	3,208	13	3	0	0	0
July, ...	5,400	0	6	8,798	3	8	3,398	3	2	0	0	0
August, ...	5,315	8	3	6,027	15	11	712	7	8	0	0	0
September, ...	5,314	7	0	7,566	1	6	2,251	10	6	0	0	0
October, ...	5,310	10	6	3,497	13	7	0	0	0	*1,812	12	11
Total,...	32,374	4	7	38,767	10	5	9,571	2	7	3,177	12	9

* These are the two vacation months, when the Court was closed for fifteen days on each occasion. It is expected that the receipts of the current month will amount to Rupees 8,500.

(Signed) JAMES F. HORE,
First Judge.

Bombay, Court of Small Causes, 19*th November*, 1856.

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Appendix No. 660

SMALL CAUSE COURT, BOMBAY.

No. 8 of 1857.

To

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of Civil Salaries and Establishments in India,

MADRAS.

SIR,

I BEG to acknowledge the receipt of your letter No. 973, of the 30th of April last, giving cover to a copy of your proposed report regarding the Small Cause Courts, and enquiring whether any of the proposed arrangements appear to me to be unsuitable, and whether I can suggest any alterations which will add to the efficiency of the Courts or decrease the expense.

2nd. The proposed report suggests two alterations which appear to me decidedly objectionable, the abolition of one of the judgships of the Bombay Court, and the allowance to the first judge in Calcutta of a salary of Rupees 2,000 per annum more than to the first judge in Bombay.

3rd. The number of suits instituted in the different Courts forms by no means a safe or reliable criterion of the amount of labor devolving upon the judges who are called upon to decide them. The time occupied in trying causes depends entirely upon the nature of their importance and the manner in which they are conducted. The same questions arise in the investigation of cases in the Small Cause Court of Bombay, as arise in the majority of the cases which are tried before the judges of the Supreme Court, and owing to the peculiarity, as well as the smallness of the tenures, of immoveable property in Bombay, questions of title, very difficult of solution, continually occur, which occupy much time in deciding, in consequence of the cases being conducted and argued by Barristers and Solicitors of the Supreme Court. I feel no hesitation in expressing the belief which I firmly entertain, that the business of our Court cannot possibly be performed by less than three judges, and that if an attempt were to be made to dispense with the services of any one of them, the arrears at the end of the first year would become perfectly unmanageable,

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and overwhelming. The business of the Court no doubt for a time could be, (and on one occasion it actually was, for several months) successfully conducted by two judges alone, but this was, and can only be done by working beyond reasonable hours, and to the personal sacrifice of health. Had either of the two judges, who were sitting during the period to which I have alluded, unfortunately fallen sick, the arrears must have rapidly and largely accumulated, and public dissatisfaction would have become loud and general, I therefore state unhesitatingly and emphatically, that the proposed alteration in this respect is impracticable.

4th. With reference to the increased allowance of Rupees 2,000 a year to the first judge of the Calcutta Court, I am totally at a loss to conjecture on what ground this preference is intended to be shewn. I quite agree with Mr. Wyllie in thinking that the salaries of the first judge of all the Courts are too low, but I can see no sufficient reason, nor in fact any reason whatever, why a larger salary should be allowed to the first judge in Calcutta, than to the first judge in Bombay. If any distinction be made, both reason and justice seem to me to require that it should be in favor of the Bombay, and not of the Calcutta judge. It appears from the letter addressed to you by the Secretary to the Government of India, No. 1014, dated 14th March 1856, that whenever a difference of pay is allowed, it is to be awarded solely on the ground of the greater importance of the office and the greater expense of living, and your own letter reminds me "that unless good cause can be shewn for a difference, parties doing the same work are to receive the same pay." Now it is clear from the Reports forwarded by the Small Cause Courts to the Government of India, as well as from the copy of your own proposed report that, if any difference exist in the importance of the duties of the first judges of the Small Cause Courts, the duties of the judge of this Court are more onerous and important than those of the Calcutta judge, since it thereby appears that the amount litigated in this Court is equal to that litigated in his, whilst the number of suits instituted in the former is only one half of those in the latter, and that the suitors in the Bombay Court are represented in numerous instances by Barristers and Solicitors of the Supreme Court, which is seldom the case in Calcutta. It is also an indisputable fact that the expense of living in Bombay is far greater than it is in Calcutta. Servants' wages, bazaar expenses, and the keep of horses, are certainly one-third higher here than in Calcutta, and the rent of Houses occupied by persons in my position is no higher, I apprehend, in the latter than in the former. These are facts for the correctness of which, personal experience (having lived in both places) enables me to vouch, and which I am sure would be recognised and admitted by all who have resided in the two Presidency Towns. On these grounds therefore, on the ground that the duties of the first Bombay judge are of (at all events) equal importance to those of the first Calcutta judge, on the ground that the expense of living is much greater in Bombay than in Calcutta; and on the further and still stronger ground, that the Bom-

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SMALL CAUSE COURT, BOMBAY.

-bay Court more than pays its own expenses, which the Calcutta Court does not, I submit that the same increase of pay (Rupees 2,000 per annum) should be allowed to the Bombay judge as you propose to allow the Calcutta judge.

With the exception of the above observations, and the remarks in the margin of the accompanying extracts from your proposed report, I am unable to suggest any alterations which will add to the efficiency of the Courts, or decrease the expense.

I have the honor to be,
Sir,
Your most obedient servant,

(Signed) JAMES F. HORE,
First Judge.

BOMBAY COURT OF SMALL CAUSES,
6th June, 1857.

COMMISSIONER'S REPORT.

The salary of First Judge is the same as at Calcutta and Madras, Rupees 18,000 per annum, but the 2nd and 3rd Judges have a salary of only Rupees 500 per mensem, or Rupees 6,000 per annum each. Though the number of cases instituted is not more than half the number instituted in Calcutta the amount litigated is less by* ⅛ only. The present 2nd Judge draws a personal allowance of Rupees 500 per mensem, as compensation for the loss of his former Office of Clerk of the Court of Requests.

*Calcutta, 6,33,241 11 11
Bombay, 5,45,876 0 0

REMARKS OF THE FIRST JUDGE.

The amount litigated in Bombay is not less than that in Calcutta. A comparison has here been instituted between the sum litigated in Calcutta during one year 1855-56, and the average sum litigated in Bombay during four years 1852-53 to 1855-56. The underwritten Statement, taken from the Annual Reports, shows that the average of the Calcutta Court for the corresponding years, was only Rupees 190 per annum above that of Bombay.

	Calcutta.			Bombay.		
1852-53,	5,17 063	5	10	6,10,592	10	2
1853-54,	5,08,820	11	10	5,21,003	4	0
1854-55,..	5,25,139	3	4	4,88,223	5	8
1855-56,	6,33,241	11	11	5,63,688	3	9
4,	21,84,265	0	11	21,83 507	7	7
Average,...	5,46,066	4	2	5,45,876	13	8

The sum in litigation in Bombay during the last official year 1856-57, was Rupees 6,54,388-1-0 or Rupees 21,146-5-1, above that in Calcutta during the preceding year.

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SMALL CAUSE COURT, BOMBAY.

As three Judges in Calcutta can dispose of 27,038 cases, and three in Madras of 26,199, the business in the Bombay Court which is one half only, should be easy work for two Judges, provided the establishment under the Judges be as efficient as the establishment in Calcutta and Madras. In his letter of the 6th May 1856, to the address of the Chief Secretary to Government, the First Judge in Bombay represents that "the establishment of the Court is already placed "on the very lowest footing, as well with "respect to its working powers, as with "respect to its emoluments, and that it is "impossible to dispense with the services of "any one of its members." But the three Courts were established under the same act, and the constitution and the jurisdiction of all is the same. Three men without distress or complaint do the work in Calcutta and Madras. The Judges of Bombay do not say that the litigation in Bombay is of such a nature that more time must necessarily be occupied in disposing of it than is needful in Calcutta and Madras, and the conclusion is unavoidable that two Judges at Bombay ought to perform the work of the Court.

The Act seems to contemplate the probability of Judges sitting together, certainly not the necessity of their sitting apart from each other, but the business of our Court renders it necessary that they should sit separately. In my opinion, as before stated, it would be utterly impossible for two Judges to dispose of the business in Bombay. A larger number of suits for sums above Rupees 50, is instituted in Bombay than either in Calcutta or Madras, and while at those Presidencies, Barristers of the Supreme Court are never retained to conduct cases in the Small Cause Courts, in Bombay during the past official year, there were 271 appearances by Barristers. It very frequently happens that I am obliged to sit from 11 o'clock until dark, and during that time am able to decide only two or three cases when advocates are engaged, the remaining business of the Court being disposed of by the unprofessional judges.

The County Courts in England unlike the Small Cause Courts, are not required to sit daily, and if the number of Judges in the latter is reduced to two, it would not only be necessary that each should sit every day, which in this country could not be continued for any length of time, but they would in effect be deprived of the month's privilege leave in the year allowed to all other Government Servants.

During the past official year 1856-57, the amount carried to the credit of Government on account of fees, was Rupees 90,810-3-5, or Rupees 26,967-6-8, in excess of the charges of the Court, the Second Judge's compensation of Rupees 500 per mensem excluded, as the surplus receipts of the Court at one Presidency cannot be applied to meet the deficiency at the other Presidencies, the suitors of the Court at Bombay are entitled to relief by a reduction in the scale of Fees levied. This matter will be brought to the notice of Government shortly, and in the event of a reduction being made, the business of the Court will no doubt increase and the necessity for three Judges will become still greater.

I can find no good reason for difference in the salaries of the 2nd and 3rd Judges of the

His position is no higher than that of the Judges in Madras and Bombay, and his

SMALL CAUSE COURT, BOMBAY.

Courts in the grounds recognised in other cases, I would allow the Chief Judge of the Court in Calcutta, Rupees 2,000 per annum more than the Chief Judge at Madras and Bombay to meet the expenses of his position in Calcutta.

expenses are less than those of the Judge in Bombay.

The Court of Bombay representing at Rupees 400 per mensem has been found insufficient to secure the continued services of a man of respectability, energy and ability, such as the Clerk of the Small Cause Court ought to be, recommended that the salary should be increased to Rupees 500, and that a Deputy Clerk should be appointed on a salary of Rupees 150. The Bombay Government supported both measures.

The Bombay Government recommended the smaller salary of Rupees 500 per mensem for the Clerk of the Court; I proposed that it should be increased to Rupees 600, and in my opinion any salary less than this would be an inadequate remuneration for the services required of this Officer.

For the Assistant Clerk at Bombay the salary proposed Rupees 150, would not suffice to procure a qualified person, I would allow Rupees 250.

A qualified person as Assistant Clerk, could not be procured for Rupees 150.

The allowances of Rupees 40, for the Judge's Clerks at Bombay, is utterly insufficient to procure the services of trustworthy useful Officers, I would allow for each Rupees 100, and reduce the allowance of each in Calcutta to Rupees 150 and increase the Madras Clerks to Rupees 100.

Rupees 40 per month is decidedly much too small a salary, but I consider that as a general rule, an Interpreter is deserving of higher pay than a Judge's Clerk.

With respect to this difference in favor of Calcutta, I presume it is unnecessary for me to offer any opinion.

There being three Judges in Calcutta, there should be three Interpreters, I would allow a third on Rupees 100, and reduce the allowance of the head Interpreter to that sum, and pay the Madras Interpreters Rupees 100 each and appoint a third on that salary.

I concur in the propriety of this increase to the salaries of the Interpreters.

(Signed) JAMES F. HORE,
First Judge.

BOMBAY COURT OF SMALL CAUSES,
6th June, 1857.

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APPENDIX NO. 661

Small Cause Court, Bombay.

No. 12 of 1857.

To

H. RICKETTS, Esq.,

Commissioner for the revision of Civil Salaries and Establishments throughout India.—OOTACAMUND.

Bombay Court of Small Causes, 4th July, 1857.

SIR,

I have the honor to forward to you the annexed return containing the information required by your letter No. 1077, dated the 24th ultimo.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed) JAMES F. HORE,

First Judge.

RETURN.

Year.	Number of cases instituted.	Number of cases tried.	Number of cases struck off and compromised.
1854-55	11,284	6,297	5,607
1855-56	13,489	7,888	5,611
1856-57	13,912	8,581	5,455

(Signed) JAMES F. HORE,

First Judge.

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APPENDIX NO. 662

Small Cause Court, Bombay.

No. 3191.

Extract from the Proceedings of the Right Honorable the Governor General of India in Council, in the Financial Department, under date the 31st July, 1857.

Read the following papers regarding a proposal to augment the salaries of the 2nd and 3rd Judges, and of the Clerk in the Small Cause Court at Bombay, and to appoint an Assistant Clerk in the same establishment.

Extract from the Proceedings of this Government, in the Home Department, No. 1133, dated 19th July 1856, and its enclosures.

Financial Resolution.—No. 3727, dated 8th August 1856.

Letter to the Commissioner for the revision of Civil salaries and establishments throughout India, No. 3726, dated 8th August 1856.

Endorsement Home Department, No. 1094, dated 6th instant, on a letter from the Government of Bombay, dated 19th ultimo, with enclosure.

Resolution.—The Government of Bombay having proposed to raise the salaries of the 2nd and 3rd Judges, and of the Clerk in the Small Cause Court at that Presidency, and to appoint an assistant clerk in the said Court, the Commissioner for the revison of Civil salaries and establishments throughout India was instructed to take the proposition into consideration in the general course of his enquiry.

The Government of Bombay, referring to the above proceeding, transmits a further correspondence on the subject, and recommends that the Commissioner be called upon to furnish a separate report regarding the salaries of the Judges in question.

The Right Honorable the Governor General in Council does not see any necessity for a separate or special report. He desires however, that the present papers may be forwarded to the Commissioner for his consideration.

Order.—Ordered that a copy of the above resolution be forwarded to the Home Department, and that the original papers received therefrom be returned.

Ordered also that a copy of the resolution, and of the papers noted in the margin,* be transmitted to the Commissioner for the revision of Civil salaries and establishments throughout India, for information and guidance.

(A True Extract)

C. HUGH LUSHINGTON.

Secretary to the Government of India.

* Letter from the Secretary to the Government of Bombay, No. 47, dated 19th June 1857, and its enclosure.

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APPENDIX NO. 662

Small Cause Court, Bombay.

No. 47 of 1857.

JUDICIAL DEPARTMENT

FROM

The Secretary to the Government of Bombay,

TO

The Secretary to the Government of India.

Dated BOMBAY CASTLE, 19*th June*, 1857.

SIR,

Referring to my letter No. 47, dated the 4th July last, and to the Resolution of the Government of India, No. 3727, dated the 8th August 1856, I am directed by the Right Honorable the Governor in Council to transmit to you the accompanying copy of a letter from the 1st Judge of the Court of Small Causes at this Presidency, and to recommend that the Commissioner for the revision of Civil salaries be instructed to furnish a separate report on the salaries of the Judges of the Court of Small Causes.

I have the honor to be, &c.

(Signed.) H. L. ANDERSON,

Secretary to Government.

No. 7 of 1857.

JUDICIAL DEPARTMENT.

TO

The Secretary to Government, Bombay,

BOMBAY *Court of Small Causes, 4th June*, 1857.

SIR,

I have the honor to forward the accompanying returns shewing the result of the operations of this Court during the past official year 1856-57.

2nd. The under written tabular statement exhibits the business and receipts of the Court during the year 1856-57, as compared with that of the preceding year 1855-56.

Year.	No. of Suits instituted.	Amount litigated			Amount of fees, &c., carried to the credit of Government.			Amount received in cases decreed and compromised.			Amount paid in cases decreed and compromised.		
1856-57	13,912	6,51,388	1	0	90,810	3	5	1,30,762	2	3	1,29,627	11	7
1855-56	13,489	5,63,688	3	9	80,247	9	9	98,358	3	9	97,777	6	8
Increase in 1856-57	423	90,699	13	3	10,562	9	8	31,303	14	6	32,850	4	11

3rd. The fees carried to the credit of Government last year, it will be seen, amounted to Rs. 90,810-3-5, while the cost of the Court, including the compensation allowance of Mr. Johnson, the second Judge, and of the late Mr. West for a portion of the period, was only Rs. 70,358-14-6, leaving, a surplus of receipts over disbursements, of Rs. 20,451-5-8.

4th. The total net receipts of the four first of the five years during which the Court has been in operation, amounted to Rs. 2,99,867-0-7, and the disbursements, excluding the compensation allowances of the late Mr. West, and of Mr. Johnson, during that time, were Rs. 2,49,672-8-11, shewing a balance in favor of income of Rs. 50,194-7-8. Assuming that, on the opening of the Court, the salaries of the 2nd and 3rd Judges, and of the Clerk, had been fixed according to the scale recommended in my letter No. 15, dated 25th June 1856, that is to say, that of the 2nd Judge at Rs. 1,000, and that of the 3rd Judge, at Rs. 800, and that of the Clerk at Rs. 600, the above balance of Rs. 50,194-7-8 would have been nearly absorbed; the Court would have cost the Government nothing during the first four years of its existence, and the surplus for the last year instead of amounting to Rs. 20,451-5-8, would have been reduced to the sum of Rs. 14,725-5-8.

5th. Some alteration in the scale of fees payable by suitors ought, I think, to be made with a view to reducing this excess of receipts over disbursements, and of equalizing them as far as possible, but as the question of revision of salaries is still pending before the Commissioner, Mr. Ricketts, I am at present unable to offer any recommendation on the subject.

6th. From a communication lately received from that officer, I collect that he is in favor of even a higher scale of salaries than that recommended by this Government, and that it is not his intention to make a separate report on the subject, but to include it in his general report on the revision of judicial establishments.

7th. As several months will probably elapse before the Commissioner's general report is submitted, and as much inconvenience is experienced by the salaries of the 3rd Judge, and of the Clerk, having been so long fixed at their present low rate, I would respectfully suggest, that a request be preferred to the Government of India to call for a separate report respecting the salaries of the officers of the Small Cause Court at Bombay.

I have the honor to be, &c.

(Signed) J. F. HORE,

First Judge.

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APPENDIX No. 665

Calcutta Mint.

No. 136 of 1856-57.

FROM

LIEUTENANT-COLONEL J. T. SMITH,

Mint Master,

TO

H. RICKETTS, ESQUIRE,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

Calcutta Mint, the 17th June 1856.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 15th ultimo, calling for certain statements necessary to enable you to draw a comparison between the duties, responsibilities, and emoluments of the different officers in the Mint establishments of the various Presidencies, with the view to introduce uniformity in the amount of salaries, and reduction in the aggregate expenditure. I have the honor to forward these herewith, and I trust that in doing so, you will excuse my trespassing upon your attention with the following remarks :—

2. I would first beg to express my opinion that any *real* reduction in the expenses of this Mint is impracticable in the method proposed, and that the attempt to meddle with the salaries of the servants would be dangerous. At this moment the whole Mint is crying out for *increase* of wages ; and previous to the receipt of your letter, I had already set on foot enquiries, by means of letters addressed to the different similar establishments in Calcutta, with a view of suggesting to Government a timely augmentation, because I have notice from some of the best workmen of their desire to leave, if not granted increase of pay, and am assured that, if they are not paid in proportion to what they can readily get outside, they will certainly leave the service, to the great loss and inconvenience of Government. The same applies to most of the salaried officers and men on the establishment, with the exception of the bullion and account departments, all of whom, I believe, would have little difficulty in obtaining employments on equally advantageous terms elsewhere, so great is the demand for skilled labor and superintendence.

3. This Mint not only requires increase of salaries for the reason above mentioned, but also needs, as I have already stated to Government, addition to its establishment to meet augmented demands for work. These additions, though apparent, are not any *real* augmentation of expenses, nor on the other hand would reductions of salaries and establishments really diminish it, a fact I can state positively from my own experience.

4. On joining the Madras Mint in 1841, I found that measures similar to those now proposed had been previously resorted to there, with the view to reduce expenses by gradually diminishing the salaries of the different offices, till all the departments had become more or less inefficient ; and I therefore proposed a new arrangement, involving a general increase of about (I write from memory,) 30 or 40 per cent., which was for-

tunately sanctioned by Government, and the result produced was a *reduction of the entire Mint expenses* (including these increased salaries,) from 1,53,893 Rupees per annum to 83,146 Rupees, although the department was turning out a considerably larger annual coinage.

5. This fact, which you will find referred to in the Selections from the Records of the Madras Government, No. III., for 1854, page 39, will, I trust, convince you that any mere reductions of salary are by no means necessarily attended with a saving of expense, while I think it my duty to mention that the agitation of the subject is not unattended with danger.

6. In August last the workmen in one of the departments of this Mint became dissatisfied with their wages, and a general strike resulted, the consequence of which was, that the whole establishment was crippled for many weeks. Their whole pay only amounted to 163 Rupees per month; but I believe I should not exaggerate, if I stated that the loss to the Government and the Merchants, in consequence, amounted to little short of half a lac of Rupees. But the evils which ensued on that occasion were incalculably less than they would be, were the Mint to be suddenly obstructed in a similar way at a time when pressed with full work.

7. For this reason, I would earnestly deprecate any interference with the salaries of the Mint establishments, further than the expression of the wish of Government that every *practicable* reduction should be made by the heads of the departments. I would urge this the more strenuously, because I think that any agitation of the subject, which would be hurtful under any circumstances, would be doubly inexpedient if no real saving results from it, and I think the suggestion of measures of real reform impossible to any person not possessed of all the data and experience of the Mint Master, who, if he has done his duty, has already effected every practicable *real* saving.

8. The adjustment of salaries cannot be regulated, I would beg permission to observe, upon the principles of the amount of work and responsibility attached to the appointments. There is a third item which is still more important, and which vitiates any comparison such as that proposed to be made. I refer to the market value of the qualifications.

9. The Madras Mint is furnished with an establishment on much lower salaries than are required here, in some cases not one-third the amount; but the officers there have worked willingly on those salaries for years past, and would continue to do so, were it not that the market value of their services is almost sure to rise, as the increase of commerce and development of trade stimulate the demand for it. I know men in the Madras Mint to whom I would gladly give double their salaries here; but they would not be more contented in Calcutta than they are at present, or have been hitherto.

10. I think I may state positively, from my own knowledge, that no change can be safely made here at present, or in the Madras Mint, except *increase* of salaries, and that it is only a question of time how soon it will be forced upon the Government to avoid greater evils. In Bombay, as the establishment has been, I believe, very lately under consideration, it is not likely that any great reduction can be made; and therefore, bearing in mind the serious evils attending any disturbance of the rates of wages of such large and important establishments otherwise than by the gradual and cautiously-timed agency of the Mint Masters, and adding to this the assurance, which I think I

may conscientiously give, that no person without much experience of Mint details can be sure of not doing harm instead of good, by attempted reductions, I hope you will not think me guilty of impertinence if I request you to solicit the permission of Government to omit the Mint establishments from the list of your enquiries.

11. There is a further reason for this request which, perhaps, may not be deemed unimportant, namely, that none of the Mints at present, I believe, draw a Rupee from the Government Treasury, and on the contrary, being more than fully paid for by the mercantile public, they return a surplus, which is enjoyed as a profit by the state. The average *net* returns by this Mint, during the last five years, have been five lacs per annum; any reduction, therefore, tending to compromise the efficiency of these establishments, would be unfair to the parties for whose use and at whose expense they are maintained.

I have the honor to be, &c,

J. T. SMITH,
Mint Master.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

2562

APPENDIX No. 664

Calcutta Mint.

STATEMENT showing the Talc and Value of Gold, Silver and Copper Coins, coined in the Calcutta Mint, during the past 5 years, from 1851-52 to 1855-56.—(Continued.)

Years.	Gold.		Silver.							
	Mohurs.		Whole Rupees.		Half Rupees.		Quarter Rupees.		Eighth Rupees.	
	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.
1851-52 ...	41,700	6,25,500 0 0	1,69,81,424	1,69,81,424 0 0	3,33,471	1,64,735 8 0	17,42,388	4,35,597 0 0	23,87,475	2,98,434 6 0
1852-53 ...	0	0 0 0	2,62,21,460	2,62,21,460 0 0	13,16,258	6,58,129 0 0	13,56,662	3,39,165 8 0	11,79,615	1,47,451 14 0
1853-54 ...	97,119	14,56,785 0 0	2,22,40,542	2,22,40,542 0 0	7,34,330	3,67,165 0 0	15,53,460	3,88,365 0 0	14,93,040	1,86,630 0 0
1854-55 ...	1,784	26,760 0 0	58,31,301	58,31,301 0 0	9,65,322	4,82,661 0 0	20,59,349	5,14,837 4 0	17,14,965	2,14,370 10 0
1855-56 ...	1,12,219	16,83,285 0 0	3,79,88,214	3,79,88,214 0 0	5,19,522	2,59,761 0 0	18,19,426	4,54,856 8 0	5,18,762	64,845 4 0
Total ...	2,52,822	37,92,330 0 0	10,92,62,941	10,92,62,941 0 0	38,64,903	19,32,451 8 0	85,31,285	21,32,821 4 0	72,93,857	9,11,732 2 0

2585

APPENDIX No. 664

Calcutta Mint.

STATEMENT showing the Talc and Value of Gold, Silver and Copper Coins coined in the Calcutta Mint, during the past 5 years, from 1851-52 *to* 1855-56.—*(Concluded.)*

Years.	Copper.														Total Talc, Gold, Silver and Copper.	Total Value, Gold, Silver and Copper Coins, Co.'s Rs.
	Double Pyce.		Single Pyce.		Half Pyce.		Pie Pieces.		Whole Cents.		Half Cents.		Quarter Cents.			
	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.	Talc.	Value Co.'s Rs.		
1851-52	3,13,412	9,794 2 0	4,42,73,282	6,91,770 0 6	0	0 0 0	12,29,017	6,401 2 1	0	0 0 0	0	0 0 0	0	0 0 0	6,72,98,169	1,92,13,056 2 7
1852-53	0	0 0 0	2,93,84,453	4,59,132 1 3	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	0	0 0 0	5,94,58,448	2,78,25,338 7 3
1853-54	0	0 0 0	2,32,63,997	3,63,499 15 3	75,81,276	59,228 11 6	0	0 0 0	14,67,526	33,019 5 5	4,35,133	4,895 3 11	0	0 0 0	5,88,66,423	2,51,00,130 4 1
1854-55	0	0 0 0	2,28,38,727	3,56,855 1 9	2,47,65,877	1,93,483 0 7½	0	0 0 0	50,51,700	1,13,663 4 0	20,34,514	22,888 4 6	14,45,959	8,133 8 4	6,67,09,498	77,64,953 7 2½
1855-56	3,34,583	10,455 11 6	1,40,54,550	2,19,602 5 6	11,21,436	8,761 3 6	2,24,300	1,168 3 8	0	0 0 0	0	0 0 0	0	0 0 0	5,66,93,012	4,06,90,949 4 2
Total...	6,47,995	20,249 13 6	13,38,15,009	20,90,859 8 3	3,34,68,589	2,61,473 5 7½	14,53,317	7,569 5 9	65,19,226	1,46,682 9 5	24,69,647	27,783 8 5	14,45,959	8,133 8 4	30,90,25,550	12,05,95,027 9 3½

Errors Excepted.

J. H. BELL,

Officiating Mint Master.

CALCUTTA MINT,
The 19*th July* 1856.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

2385

APPENDIX No. 665

Calcutta Mint.

STATEMENT of the Total Receipts and Disbursements of the Calcutta Mint, from 1852-53 *to* 1856-57.

YEARS.	Receipts.	Disbursements.	Net Profit.	REMARKS.
	Rs.	Rs.	Rs.	
1852-53.....	9,41,203	3,63,272	5,77,931	
1853-54...	6,53,127	3,49,202	3,03,925	
1854-55.....	4,43,886	2,66,597	1,77,289	
1855-56...	12,81,096	4,57,442	8,23,654	
1856-57.....	16,64,840	5,71,932	10,92,908	
Total.....	49,84,152	20,08,445	29,75,707	

NOTE.—The accounts for 1856-57 are not yet closed, but the amounts here inserted have been partly estimated, and are believed to be correct within a few thousand Rupees, more or less.

J. H. BELL,
Officiating Mint Master.

CALCUTTA MINT,
The 10*th August* 1857.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

APPENDIX No. 666

Madras Mint.

STATEMENT showing the Receipt and Expenses of the Madras Mint, together with the Mint Committee and Assay Office Charges, from 1851-52 *to* 1856-57.

Years.	Expenditure. Mint Master's Salary, Mint Establishment, and Contingent servants' wages.	Articles supplied by the Contractor and purchased, hired bullocks, & store articles.	Salaries paid for extra hours' work.	Mint Committee Office.	Assay Office.	Total.	Receipts. Seignorage on Gold and Silver Bullion.	Gain on Copper Coins, after deducting the value of the Copper.	Excess of Silver delivered above the value of Silver purchased.	Unserviceable articles, Acids, &c. sold at the Mint.	Total.	Difference between Receipts and Expenditure.
	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.	Co.'s Rs. As. P.
1851-52 ...	67,410 2 5	13,034 1 0	0 0 0	3,649 7 10	28,699 14 3	1,12,793 9 6	34,623 14 8	47,341 5 7	2,732 7 1	1,926 13 10	86,624 9 2	— 26,169 0 4
1852-53 ...	68,422 9 11	14,590 0 4	0 0 0	3,671 2 6	24,754 10 0	1,11,438 6 9	1,17,342 15 3	54,724 2 10	7,228 6 0	1,789 5 4	1,81,084 13 5	+ 69,646 6 6
1853-54 ...	75,169 8 5	23,804 2 3	0 0 0	3,676 15 7	29,609 12 0	1,32,260 6 3	98,930 1 7	51,195 7 4	8,137 2 11	1,575 1 8	1,59,837 13 6	+ 27,577 7 3
1854-55 ...	69,354 11 11	16,344 0 6	0 0 0	3,675 5 1	27,319 11 4	1,16,693 12 10	18,675 6 8	65,916 10 0	3,140 3 6	3,935 3 6	91,667 7 8	— 25,026 5 2
1855-56 ...	74,608 14 5	25,392 12 11	0 0 0	3,612 10 9	26,790 1 7	1,30,404 7 8	1,36,121 1 10	62,701 3 10	9,124 1 9	1,212 12 9	2,09,159 4 2	+ 78,754 12 6
1856-57 ...	88,334 4 0	39,501 15 9	5,784 5 2	3,658 14 2	27,976 13 11	1,65,256 5 0	1,59,887 3 9	1,03,768 15 8	9,579 2 7	2,123 9 7	2,75,358 15 7	+1,10,102 10 7

Errors Excepted

(Signed) FREDERICK COTTON,

Acting Mint Master.

FORT ST. GEORGE MINT, 1*st August* 1857.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1. WESTON'S LANE, COSSITOLLAH.

F388

APPENDIX No. 66

Madras Mint.

STATEMENT showing each description of Coin, with its value, stamped in the Madras Mint, and remitted to the General Treasury, from May 1851-52 *to* 1856-57.

Years.	Silver Coins. Single Rupees. No.	Single Rupees. Co.'s Rs. As.	Half Rupees. No.	Half Rupees. Co.'s Rs. As.	Quarter Rupees. No.	Quarter Rupees. Co.'s Rs. As.	Double Annas. No.	Double Annas. Co.'s Rs. As.	Total. Silver Pieces. No.	Total. Value of Silver Coins. Co.'s Rs. As.	Copper Coins. Half Annas. No.	Half Annas. Co.'s Rs. As. P.	Quarter Annas. No.	Quarter Annas. Co.'s Rs. As. P.	Pie Pieces. No.	Pie Pieces. Co.'s Rs. As. P.	Total. Copper Pieces. No.	Total. Value of Copper Coins. Co.'s Rs. As. P.	Total—Silver & Copper Pieces. No.	Total Value—Silver and Copper Coins. Co.'s Rs. As. P.
1851-52	3373863	3374085 7	0	0 0	1022791	255722 13	617654	77223 15	5014308	3707032 3	1625152	50786 0 0	1949446	30460 1 6	1936112	10083 14 8	5510710	91330 0 2	10525018	3798362 3 2
1852-53	3934975	3935171 5	0	0 0	0	0 0	0	0 0	3934975	3935171 5	1629200	50912 8 0	3244650	50697 10 6	0	0 0 0	4873850	101610 2 6	8808825	4036781 7 6
1853-54	6549625	6549745 4	0	0 0	398120	99512 6	813527	101744 6	7761272	6751002 0	1613444	50420 2 0	2875150	44924 3 6	798300	4157 13 0	5286894	99502 2 6	13048166	6850504 2 6
1854-55	2457020	2457180 3	0	0 0	752123	188023 13	1787027	223422 4	4996170	2868626 4	2302434	87576 1 0	2183450	34116 6 6	1082400	5637 8 0	6068284	127329 15 6	11064454	2995956 3 6
1855-56	4408283	4408115 7	853430	426639 6	1922910	480581 8	1092737	136713 6	8277360	5452049 11	1430553	44704 12 6	4617041	72141 4 3	735508	3830 12 4	6783102	120676 13 1	15060462	5572726 8 1
1856-57	7315878	7315413 15	0	0 0	3081121	770293 0	4734527	592432 8	15131526	8678139 7	3854562	120455 1 0	7704472	120382 6 0	3570850	18598 2 10	15129884	259435 9 10	30261410	8937575 0 10

Errors Excepted

(Signed) FREDERICK COTTON,

Acting Mint Master.

Fort St. George Mint,
1st *August* 1857.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

2389

2490

APPENDIX No. 668

Bombay Mint.

STATEMENT showing the amount of Bullion and of uncurrent Coins received for coinage, and the amount of Coins remitted to the General Treasury, for the five years ending the Official Year 1855-56, *as called for in Mr. Ricketts's letter No.* 115, *dated Nyneee Tal, the* 15*th of May* 1856, *to the Mint Master at Bombay.*

YEARS.	Mint Valuation of all Bullion and uncurrent Coins received in each of the years in question.			Value of the Coins remitted to the General Treasury in each of the years in question.			Gross Charges.			Gross Revenue.			Profits.			REMARKS.
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	
1851-52	2,23,55,916	8	1	2,08,97,949	6	1	2,52,201	5	5	3,85,321	1	5	1,33,119	12	0	*a* Inclusive of half-rupee pieces of the value of Rupees 6,38,845-0-0, of quarter-rupee pieces of the value of Rupees 4,00,034-12-0, and of one-eighth pieces of the value of Rupees 2,00,617-4-0.
1852-53	2,33,95,555	5	7	*a*2,37,98,470	12	0	2,59,518	10	8	5,08,915	1	8	2,49,396	7	0	
1853-54	1,78,20,410	9	11	2,26,00,817	9	8	2,17,164	8	11	3,19,440	4	4	1,02,275	11	5	*b* Inclusive of Rupees 3,58,691 worth of copper coins, and Rupees 3,98,000 worth of quarter-rupee pieces.
1854-55	38,88,549	2	2	*b*41,06,106	10	4	1,78,439	2	10	3,13,744	14	10	1,35,305	12	0	
1855-56	3,03,01,006	7	7	*c*2,55,21,951	10	11*	2,74,045	8	6	6,41,031	13	3	3,66,986	4	9	*c* Inclusive of Rupees 1,27,342 worth of quarter-rupee pieces.
																* The actual amount of coins struck in the official year 1855-56 was Rupees 2,62,00,000.
Total ...	9,77,61,438	1	4	9,69,25,296	1	0	11,81,369	4	4	21,68,453	3	6	9,87,083	15	2	

Errors Excepted

BOMBAY MINT,
The 21*st November* 1856.

J. H. BURKE, *Captain,*
Mint Master.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

2392

APPENDIX No. 669

Bombay Mint.

STATEMENT showing the Gross Revenues and Charges of the Bombay Mint, for five years, viz., from 1852-53 to 1856-57, both years inclusive.

YEARS.	Gross Revenues.			Gross Charges.			Net Profits.			REMARKS.
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	
1852-53	5,08,915	1	8	2,59,518	10	8	2,49,396	7	0	As the accounts of 1856-57 have not yet been finally adjusted, the gross revenues and gross charges of that year include the estimated amount of the working gains and losses, which have been calculated on the average of the preceding five years. The difference, plus or minus, on this head, which may require future adjustment, will not, it is expected, exceed 1,000 Rupees.
1853-54	3,19,440	4	4	2,17,164	8	11	1,02,275	11	5*	
1854-55	3,13,744	14	10	1,78,439	2	10	1,35,305	12	0	
1855-56	6,41,031	13	3	2,74,045	8	6	3,66,986	4	9	
1856-57	7,99,540	13	6	2,66,950	12	5	5,32,590	1	1	
Total....	25,82,672	15	7	11,96,118	11	4	13,86,554	4	3	

Errors Excepted,

H. BLOIS TURNER, *Lieut.-Colonel,*

Acting Mint Master.

BOMBAY MINT,
The 15th August 1857.

G. A. SAVIELLE, PRINTER, CALCUTTA PRINTING AND PUBLISHING COMPANY (LIMITED), NO. 1, WESTON'S LANE, COSSITOLLAH.

2394

APPENDIX No. 1.

Miscellaneous Papers respecting Grades of Salaries.

Grades of Salaries. Hon. Court of Directors.

Extract of a letter from the Honorable the Court of Directors.

Financial Department.

No. 7 of 1836.

OUR GOVERNOR OF THE PRESIDENCY OF FORT WILLIAM IN BENGAL.

14. The 55th to the 64th paras of the letter now under reply, relate to a plan, proposed by the Governor General, for placing the Salaries of the Commissioners of Revenue and Circuit, those of the Civil and Sessions Judges, and those of the Collectors and Magistrates, on an entirely new footing. The principal objects proposed in it, are the augmentation of the allowances of the Judges, and the Division of the Salaries of each of the three orders of functionaries above-mentioned, into *classes*, the higher Salaries not to be attached to particular Stations, nor promotion in the classes to involve any removal of the Officer benefiting. By this arrangement it is designed to secure the due reward of merit. His Lordship stating, that " under the present system, an indifferent Officer received " as much as an industrious one." It is intended so to construct the new scale, as to bring about a saving of 81000, Rupees on the whole of the Salaries subjected to Revision.

15. The plan thus proposed, is, in our opinion, liable to many and serious objections; after the frequent changes which the Salaries of the Covenanted Civil Servants on your Establishment have of late undergone, we should deprecate very much, the introduction of any other novel principal in the mode of remunerating them; it being most desirable, that their minds should not again be unsettled, and their attention called away from their public duties by projects of this description. The plan in other respects we apprehend would be found injurious, from its subverting the only sound principle by which allowances and appointments should be governed, viz., that of attaching the highest pecuniary rewards to the most important and responsible Offices, and appointing to such Offices the most capable individuals. By a strict attention to this principle, merit cannot fail to meet its reward, whereas, by endeavouring to recompense individuals in the manner proposed in your letter, Offices, the first in responsibility and importance, would not necessarily be filled by the most suitable persons, and the rule of Service, which has lately been rescinded by our* discretion, would, to a great extent, be practically revived.

16. We therefore direct, that any steps which may have been taken towards the reduction of the plan suggested in your letter, be immediately retraced, with the exception of the abolition of two of the Commissionerships, which we hope will have been effected permanently.

We are &c.

(Signed.) H. J. R. CARNAC,

and others.

Sic in Orig:

2396

APPENDIX No 6.y.

Miscellaneous Papers respecting Grades of Salaries.

Grades of Salaries. Hon. Court of Directors.

No. 2482.

Copy forwarded to the Commissioner for the Revision of Civil Salaries and Establishments throughout India, with advertence to his letter, No. 130, dated 16th Instant.

(Signed.) C. HUGH LUSHINGTON,

Secretary to the Government of India.

Fort William,
Financial Department,
The 29th May, 1856.

APPENDIX No 64

Miscellaneous Papers respecting Grades of Salaries.

Grades of Salaries. Supreme Council.

Extract of a letter of the Supreme Council.

No. 15 of 1837.

TO THE HON'BLE THE COURT OF DIRECTORS.

Financial Department.

19. In these paras :, your Hon'ble Court state the grounds of your disapprobation of the scheme recommended by the late Governor General in Council, in the letter of February 1834, for establishing gradations of Salary for the three situations of Commissioner of the Land Revenue, Civil and Session Judge, and Land Revenue Collector and Magistrate, applying to the purpose, the Salaries intended to the saved by the abolition of two Commissionerships, and your Hon'ble Court direct, in para : 16, this scheme not to be acted upon, except, in so far, as the saving might be effected by the abolition of the two Offices.

20. We beg to remark, that the objections stated to this plan, in para : 15, in your Hon'ble Courts Despatch, treat of it, as of a proposition submitted for the approval of your Hon'ble Court *before it should be acted upon ;* your Hon'ble Court object to the further changes it will introduce, and deprecate the introduction of the *novel* principle, as calculated to unsettle men's minds, from which it would appear, that your Hon'ble Court did not advert to the fact, that the plan had been already introduced when the letter of 1834 was written, and has since been consecutively acted upon. The extent to which it had been carried, will be apparent upon examination of the statement of Offices and Salaries laid before Government on this occasion. Upon the very principle declared by your Hon'ble Court, viz., that of avoiding further changes not absolutely necessary, we consider that it will be very inexpedient, suddenly to undo all that has been done, for the purpose of placing the Salaries of all Officers of the same class on an equality, as would appear to be ordered in these paragraphs.

20. A. The Right Hon'ble the Governor General, has, in his minute, strongly urged the necessity of maintaining the gradation Salary system on several grounds, amongst others, because of the effect of the scheme in keeping alive exertion and gratifying merit when displayed, but more particularly because of its enabling the Government to retain Officers, who have claims to promotion, and to improved emoluments, in situations where their Services are required to complete arrangements commenced by them, and an instance is cited in which the promotion of a deserving Officer would be productive of great detriment to the Public Service, which the gradation system will obviate.

21. The Hon'ble the Lieutenant Governor of the North Western Provinces, coincides entirely in opinion, as to the importance on public grounds, of maintaining the gradation Salary principle, and yielding assent to these arguments, and feeling convinced, that your Hon'ble Court have disapproved of the scheme,

Grades of Salaries. Supreme Council.

chiefly under the apprehension that it would lead to further changes, instead of having viewed it as a thing in force not to be set aside, without extensive change exciting much disappointment and discontent, and making deductions from the Salaries of the Senior and more deserving Officers, for the purpose of increasing the Salaries of those who are Junior or of less established merit—we *resolved*, that this part of the orders of your Hon'ble Court should be made the subject of further reference, and in the interim the Governor of Bengal and the Lieutenant Governor of the N. W. Provinces, have as above stated, been allowed to retain the graduated Salaries of the situations of Civil and Sessions Judge of Magistrate and Collector, applying the principle in such manner, that the total allowances of each grade, shall not exceed the Salaries upon the equal and uniform principle authorized by your Hon'ble Court in the present despatch.

22. The Lieutenant Governor advocates a scheme with three grades, the Governor General requires only two, in Bengal. On these points the local Governors have been permitted to use their discretion, reporting of course in each case of change, that may involve any addition to existing emoluments.

(A True Copy.)

(Signed.) AUCKLAND,

and others.

(A True Copy.)

(Signed.) EDMD. DRUMMOND,

Officiating Secretary to the Govt. of India.

Fort William,
21*st June*, 1857.

APPENDIX No. 472

Miscellaneous Papers respecting Grades of Salaries.

Grades of Salaries. The Court of Directors of the H. E. I. C.

Financial Department.

No. 15 of 1838.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

Para 1. Your letter of the annexed date, has received our full consideration, together with the documents noted in the margin, and after a very attentive examination of your proceedings, and of the reasons by which they are supported, we cannot but regret, that in so many instances, our orders should either have been wholly disregarded, or imperfectly executed; we allude especially, to the retention of the gradation system, notwithstanding our distinct and positive instructions for its abandonment. The precipitancy with which it was brought into operation, might indeed, have raised considerable difficulties in the way of its total abolition immediately on the receipt of our orders, but a commencement should have been made, or at least preparations entered into, for commencing at the earliest possible period; so far from this having been done, by a needless reference of a subject, upon which we had maturely deliberated, and finally determined, the execution of our orders is postponed for many months, and the Service, during the interval, remains in that unsettled and feverish state, in which, by a series of unnecessary changes, it has now been kept for several years.

Letter from 21st June 1837 No. 15.
Proceedings of Govt. consequent on orders of the 4th May 1836 for the regulation of Salaries in the Civil Service and directing the abolition of the Gradation system.
Resolution of Government 16th November 1836.
Letter to Lieut. Governor of N. W. Provinces 16th Nov. 1836.
Answer to the above 3rd December 1836.
Letter to Lieut. Governor of N. W. Provinces 30th December 1836.
Note and Statement by Secy. to Lieut. Governor N. W. Provinces 26th December 1836.
Note by Offg. Deputy Secy. to Govt. of Bengal (no date.)
Note and Statement by Secy. to Govt. of India 4th Feby. 1837.
Letter from Commissioner at Cuttack 27th Feby. 1837.
Letter from W. R. Young Esq. 16th December 1836.
Minute of Governor General 26th April 1837.
Minute by A. Ross Esq. 16th May 1837.
Minute by Lieutenant Colonel Morison 18th May 1837.
Minute by H. H. Shakespear Esq. 19th May 1837.
Resolution of Government 31st May 1837.

2. The objections urged against carrying our orders into effect, relate, some of them, to the views and motives in which those orders originated, others, to the merits of the system the abolition of which was directed, and others again, to the propriety and expediency of our direct interference in questions of such a nature as that under consideration; upon each class of objections we shall offer a few observations. It is assumed, that our orders for the abandonment of the gradation system, had reference only to two objects, the reduction of expenditure, and the prevention of further change. It is also assumed, that we regarded the communication relating to the introduction of the gradation system, as a proposal, only submitted for our approval, not as a plan actually in operation, and that had we been aware that the latter was the fact, our reluctance to a succession of changes would have induced us to tolerate the continuance of the new system.

3. All these assumptions are incorrect, and unwarranted by anything in our despatch of the 4th May 1836. Indeed a careful and unbiassed perusal

Grades of Salaries. The Court of Directors of the H. E. I. C.

of that despatch, must have rendered it evident, that such assumptions were perfectly untenable.

4. We shall not, in this place, enter into the discussion as to the amount of saving to which an observance of our intructions would lead, nor as to the capability of our Finances to bear a heavier charge than we propose to sanction, we were desirous to promote an increased frugality in the administration of the public resources, and this was one of the motives which influenced our decision, but it was not the only one, and if it could be demonstrated, that no saving whatever could be effected by an adherence to our orders of the 4th May 1836, affecting the gradation. system, our objections on other grounds,—would be sufficiently strong to induce us to require, that the plan should be abrogated as soon as circumstances would permit.

5. So also with regard to our impression of the inconveniences and evils resulting from constant changes in the arrangements of the Civil Service. We continue to condemn those changes, and greatly regret and disapprove their introduction, without a previous application for our sanction. We cannot, therefore, be expected to acquiesce in measures, which we deem to be injurious, merely because we have been deprived, by their having been adopted so precipitately, of the opportunity which ought to have been afforded us, of considering changes of such magnitude and importance, before they were made. If either public or individual inconvenience should result from a return to the former system, the responsibility does not rest with us, but with those who placed us in a situation, where we have no choice, but between the greater evil of confirming changes which we believe to be mischievous, and the less, of adding one more to a series of changes already too numerous.

6. In para: 15 of our Despatch, of the 4th May 1836, we stated our conviction, that the plan was open to "many and serious objections," and after adverting to that founded on its novelty, we added, "the plan in other respects, we apprehend, would be found injurious, from its subverting "the only sound principle by which allowances and appointments should be "governed, viz, that of attaching the highest pecuniary rewards to the most "important and responsible Offices, and appointing to such Offices, the most "capable individuals. By a strict attention to this principle, merit "cannot fail to meet with its reward, whereas, by endeavouring to recompense "individuals, in the manner proposed in your letter, Offices the first in res-"ponsibility and importance, would not, necessarily, be filled by the most "suitable persons, and the rule of Service, which has lately been rescinded "by our directors, would to a great extent, be practically revived." This may suffice to show, that we had other, and even weightier, objections, than those directed to expense and novelty.

7. That we contemplated the possibility of the plan having been brought into operation to a greater or smaller extent, will be evident, by a reference to

Grades of Salaries. The Court of Directors of the H. E. I. C.

para 16 of the despatch, in which we direct that, " any steps which may have been taken towards the introduction of the plan suggested in your letter be " immediately retraced." Had nothing been done, there could have been nothing to retrace. The supposition therefore, that we regarded the communication of the plan, in no other light than as a mere proposal, is not to be entertained. It is true, that it *ought* to have been a proposal and nothing more, but it would be most unreasonable to imagine, that the display of a want of due deference to our judgement should secure our approval, in a case where such approval would have been withheld if we had been timely and properly consulted, so also with the argument by which our concurrence is sought on the ground that by the lapse of time all appointments, promotions, and expectations, have become adapted to the new system. If the validity of this argument were admitted, our intentions might always be frustrated by perseverance in resisting them. To give permanency to a system opposed to our wishes, it would only be requisite to introduce it hastily, to cling to it pertinaciously, until the amount of inconvenience likely to result from its suppression, was sufficient to command acquiescence. We cannot allow protracted opposition to our orders, to be made the means of ultimately defeating them; nor can we permit the privilege of remonstrance and appeal to be pressed beyond reasonable limits.

8. Having explained the views and impressions, under which the paras directing the abandonment of the gradation system were framed, we pass on to the merits of the system itself.

9. As we have already declared our judgment against the plan, it would have been unnecessary to say more, but for the renewed anay of arguments in its favor, which appear in the letter and documents under examination. Upon these, we deem it necessary to make a few remarks, in order that the grounds upon which we determine against them, may be placed beyond the possibility of being misunderstood.

10. The reasons adduced in support of a graduated system, which are diffused through the papers before us, may be enumerated thus.

First. That the gradation systems keeps alive exertion. Secondly, that it affords to Government the means rewarding meritorious conduct. Thirdly, that it enables Government to retain in situations where they are usefully employed, Officers who would otherwise seek to improve their circumstances by a transfer to a higher Station.

11. With regard to the first point, we must observe, that we have a right to require from every Officer in our Service, that the duties of his appointment be discharged to the very best of his abilities and opportunities. We desire every one to be fairly remunerated, and if fairly remunerated, it would be a grievous imputation upon the character of our Civil Servants, to imagine that they stand in need of extraordinary rewards, to secure the faithful and zealous performance of their duties. We believe such an imputation to be as

Grades of Salaries. The Court of Directors of the H. E. I. C.

unjust, as it would be discreditable and if an instance should occasionally occur, of habitual and incorrigible remissness, our Governments possess the means of dealing with it effectually, and of replacing a negligent Officer by an attentive one. It seems to be assumed, that a Civil Servant in possession of an important Office, may perform its duties either with carelessness or vigilance, and that in the former case nothing is to be apprehended from the disapprobation of his superiors. This is a dangerous error. In a body so numerous as the Members of the Civil Service, there must necessarily be considerable difference in the amount of natural qualifications, and attention must be paid to this point, in selecting Servants for particular duties. But differences as to industry and application need not, and ought not, to exist. All are bound to devote themselves to the faithful and zealous discharge of their Official occupations, and no extraordinary stimulus should be required, to secure the performance of the ordinary duties.

12. Most of the observations which we have addressed to the first point, —the necessity of stimulating exertion, will apply to the second, the propriety of rewarding merit. It is unfit that important duties should continue to be entrusted to any one, who does not deserve the character of a meritorious Servant, and if all entitle themselves to the distinction there will remain no ground upon which to confer the higher rate of Salary but that of seniority. The principle therefore, upon which the retention of gradations is depended, will be lost sight of, and another substituted, against which we have already deliberately decided. We find indeed, that the Lieutenant Governor of the North Western Provinces, recommends that the Salaries of Officers should be advanced, not simply on the ground usually taken, that of distinguished merit,—but also according to seniority and merit combined. We cannot but feel some surprise, that an attempt should so soon have been made, to revive in any shape, a plan, which when proposed by a former Government, we met by a decided negative.

13. Independently of the gradation system, opportunities will not be wanting, to bestow extraordinary reward upon extraordinary talents or aptitude. The higher Stations in the various Departments of the Service, afford fitting opportunities of transferring to a more extensive field of action, those whose talents for business have been developed and cultivated, in the performance of duties of an ordinary description. Such appointments are legitimate objects of ambition, and proper marks of the special approbation of Government; and as the duties are of a higher character than those performed by the majority of Civil Servants, there is nothing invedious or discouraging to the rest of the Service, in attaching to them higher emoluments.

14. It seems to have escaped the advocates of the gradation system, that if not bestowed according to seniority, the increased emoluments could never be granted, without exciting suspicion and creating dissatisfaction. How-

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ever pure the motives by which the Government might be actuated, and however judicious the discretion which they might exercise, the former would be impugned and the latter disputed. Disappointment would generate discontent and envy, or ignorance indulge in aspersion. We are indeed certain, that by withholding from our Governments the power solicited, we are only denying them that, which must, in practice, be productive of a great amount of vexation and obloquy.

15. Another evil of great magnitude, and inseparable from the gradation system, seems also to have been overlooked. When two Offices, precisely similar in labor and responsibility, are remunerated at different rates, it will follow, that the incumbent of one is regarded as a more valuable Servant than that of the other, and the same result will be even more strikingly displayed, when the difference is made with regard to successive incumbents of the same Office. This indeed is a part of the very principle of the measure, a principle which must be carried out, in some instances, by withholding from a public functionary emoluments enjoyed by his immediate predecessor, or bestowing them where they have been previously withheld from the occupant of a particular Office. It must be quite apparent, that the estimate which Government makes of the merit of a Public Servant, will extend considerably beyond the circle where the estimate is formed, that a Judge or a Collector, receiving less than some of his brother Officers performing similar duties, and, under the same amount of responsibility, receiving even less than the Officer who had previously discharged the identical duties which he is called upon to perform, and less perhaps than some of his Juniors in the Service, that an Officer, thus situated, could never command the same respect which would be yielded to one to whom Government has awarded an increased rate of emolument, because in their judgment he is the better Officer. This would be highly mischievous, because, to diminish the respect in which a Judge or a Collector is held, is to diminish his means of being useful, and the public interest must consequently suffer. To avert the evil impression which would thus be produced with regard to the unpaid Judges or Collectors, recourse may indeed be had to the principle of succession by seniority, but this is a principle, not only different from that recommended, but inconsistent with it, and already abandoned in consequence of our orders to that effect. We may here make a remark in reference to an observation, that the gradation "system" stimulates and gratifies merit, not merely by the pecuniary advantage "which it affords, but by the *distinction* gained by preference and success." This distinction, as far as it reaches beyond the Government, we conceive to be one of the worst features of the system, because the elevation of certain Officers in general estimation, is accompanied by the unavoidable depression of the remainder.

On the third point, the advantage of retaining particular Servants in particular situations, it will be unnecessary to dwell at length, because it is obvious that the desired object may be effected less objectionably in another way. If all Officers of the same class, derive equal emoluments, the temptation

Grades of Salaries. The Court of Directors of the H. E. I. C.

to desire a removal will, except under very peculiar circumstances, be withdrawn. The only ground for it, in ordinary cases, will be the opportunity of attaining some appointment of the highest class in the Judicial, Revenue, or General Departments. These are cases for which the gradation system can no more provide than that which it is designed to supersede, for it is not, and never can be proposed, to make the Salary of a Civil and Sessions Judge, even of the first class, equal to that of a Judge of the Court of Sudder Adawlut, or the Salary of a Collector, in any case equal to that of the highest Revenue Officers at the Presidency. The gradation system can, therefore, accomplish no more than might be attained by a system of equalization, which would be liable to none of the numerous and weighty objections which lie against the former.

(Signed.) J. L. LUSHINGTON,

and others.

London,
5th September, 1838.

(A True Copy.)

(Signed.) C. HUGH LUSHINGTON,

Secretary to the Government of India.

Appendix No 623

Travelling allowance of Civil Officers in Madras

REVENUE DEPARTMENT.
FORT SAINT GEORGE,
14th April 1858.

No. 482.

From

H. FORBES, Esq.,
Acting Secretary to the Government of Fort St. George.

To

H. RICKETTS, Esq.,
Commissioner for the Revision of Civil Salaries and Establishments throughout India.

SIR,

With reference to your letter of the 2d December last, No. 1349, I am directed by the Right Honorable the Governor in Council to forward the accompanying copy of a letter from the Board of Revenue, together with its enclosure, relative to the tentage allowance drawn by the Collectors of this Presidency.

2. The Government remark that the allowance now in question was doubtless intended to reimburse the Revenue officers for the original cost of, as well as for keeping up, their tents.

I have the honor to be,
Sir,
Your most obedient Servant,
(Signed) H. FORBES,
Acting Secretary to Government.

2406

Appendix No. 643

Fixing allowance of Tent Officers in Madras

2607

From G. S. FORBES, Esq., Secretary to the Board of Revenue; to H. FORBES, Esq., Acting Secretary to Government, Revenue Department; dated Fort Saint George 25th March 1858, No. 1073.

SIR,

With reference to Extract Minutes Consultation dated 12th February 1858, No. 187, Revenue Department, I am directed by the Board of Revenue to submit for the information of Government the correspondence entered in the margin, from which it will be seen after due consideration, the tentage allowance of Collectors in unsettled Districts was fixed at the rate of 25 Star Pagodas, and in settled Districts at 20 Pagodas a month. Subsequently, the tentage allowance of Collectors of settled and unsettled Districts was fixed at 87½ Rupees per month. It does not appear upon what data this sum was fixed, but the expenses incidental to keeping a set of tents in a state of efficiency and paying the establishment which this mode of travelling obliges a Collector to maintain at all times, form the Board think a sufficient basis for judging of the suitableness of the allowance. It has been generally admitted that the allowance does not cover the expenses incurred.

In Cons. 25th March 1858.

Pro. to Govt. 29th Sep. 1814.
From Do. 18th in Cons. 24th Oct. 1814, *R. D.*

From Govt. 20th March in Cons. 17th May 1849, *R. D. No.* 274.
Vide C. O. B. Vol. page 491.

Extract from the Proceedings of the Board of Revenue; dated the 29th September 1814.

The Board having experienced considerable difficulty in regulating the tent allowance to be drawn by Collectors and their Assistants, as authorized in the Proceedings noted in the margin and sanctioned by Government, have been induced to revise the instructions under which tent allowance is now drawn.

To Govt. 29th Oct. 1812 *in Cons. 29th do.*
From Govt. 6th Nov. 1812 *in Cons. 9th do.*
To Govt. 18th Nov. 1812 *in Dy. Cons. 19th do.*
From Govt. 8th Dec. 1812 *in Cons. 14th do.*
To Govt. 24th May 1813 *in Dy. Cons. 27th do.*
From Govt. 8th June 1813 *in Cons. 10th do.*

Under the existing rules tent allowance is drawn by Collectors in Districts of which the revenue is not permanently fixed at the rate of 69 Star Pagodas per month. In Districts of which the revenue is permanently settled at 50 Star Pagodas per month Assistant Collectors draw 25 Star Pagodas per month in the first mentioned Districts, and none in the latter unless when specially employed. The allowances of Collectors are drawn in arrear on a statement of the period which the Collector has actually resided in tents and the extent of the tours made in his District. The allowances to Assistants under recent orders is paid monthly.

It sometimes happens that Collectors from various causes are prevented making circuits of equal length or duration with those made by other Collectors, and instances have occurred where the Collector has not been absent from the Huzzoor Station at any period of the year. Although during the whole year he may have possessed tents and kept up some part of his travelling equipage.

The difficulty under these circumstances, has been to ascertain what amount of tent allowance would be an adequate remuneration for the expenses actually incurred by Collectors while residing in tents, and for the wear and tear of tents. With every desire on the part of the Board to decide impartially on the claims of individuals, the task has been rendered extremely embarrassing from the different view under which the several Collectors bring their claims before the Board.

It is satisfactory however to the Board to be enabled to state that the allowances granted for the last year or Fusly 1223, A. D. 1813-14, has not in any case been granted except to Collectors who have actually been resident in tents and moving about their District at some period of the year; but it being desirable that the Board should possess a more defined rule for their guidance, and that Collectors should receive a fair remuneration for the extra expenses incurred in supporting a travelling establishment, the Board resolve to recommend that the Right Honorable the Governor in Council will be pleased to sanction the following rates of tent allowance from the commencement of Fusly 1224 to be drawn under the annexed rules.

To Collectors of Districts of which the revenue is not permanently settled.

1. That all Collectors of Districts of which the revenue is not permanently settled shall receive twenty-five Star Pagodas per month for the wear and tear of tents and support of a tent establishment.

2. That Collectors of such Districts shall draw in addition to the above allowance at the rate of one and a half Pagoda per diem during the period such Collectors may be *actually residing in tents* employed on the public service.

3. That Assistants to Collectors of such Districts shall draw a fixed allowance of twelve Pagodas per month, and an extra allowance of three quarters of a Pagoda per day during the period they may actually reside in tents employed in the public service.

Collectors of Districts of which the revenue is permanently settled.

2408

Appendix a No 643

Travelling allowance of Civil Officers in Madras

4. That Collectors of Districts of which the revenue is wholly or in part settled shall be allowed twenty Pagodas per month for the wear and tear of tents.

5. That a Collector of a District of which the revenue is wholly or in part settled shall be allowed to draw during the period he has actually resided in tents and moved about the District on the public service, the sum of one Pagoda per day.

6. That Assistants to Collectors of the settled Districts shall draw the same tent allowance as Assistants to Collectors of unsettled Districts under the same conditions, provided it shall be considered that their services in the Districts are necessary, and a special reference be made to the Board before the allowance is drawn.

7. That all Collectors drawing tent allowance shall furnish quarterly a certificate of the number and size of tents which they possess fit for use.

8. That as cases have occurred, and may again occur where the duties of Collector in Districts of which the revenue is partly permanently settled and partly under leases or otherwise may require a much longer residence in tents, and more tents than in other permanently settled Districts, a discretionary authority be vested in the Board to grant the superior allowances to Collectors so situated, but in such cases only.

The Board have reason to believe that these proposed rules for regulating the tent allowance to Collectors and Assistants so far from increasing, the past charges under this head will have the effect of reducing the actual expense while security will be afforded that the allowance shall not lapse into a sinecure or actual addition to the fixed emoluments of office.

(True Extract.)

(Signed) J. HANBARY, *Secretary.*

REVENUE DEPARTMENT.

To the President and Members of the Board of Revenue.

GENTLEMEN,

I am directed to acknowowledge the receipt of your Secretary's letter of the 7th Instant, with its enclosures, and to inform you that the Right Honorable the Governor in Council approves of the rules therein submitted, respecting the tent allowance of Collectors and their Assistants, but conceives that under the orders of the Court of Directors the sanction of Government will be necessary, when the Board of Revenue shall consider the Collector of a settled District to be entitled to the superior rate of tent allowance, which the present general sanction enables Collectors of unsettled Districts only to draw. The new mode of regulating tent allowance will take effect from the commencement of the present Fusly.

FORT SAINT GEORGE, 18*th October* 1814.

(Signed) D. HILL,
Secretary to Government.

(True Copy.)

(Signed) G. S. FORBES, *Secretary.*

(True Copies.)

(Signed) H. FORBES,
Acting Secretary to Government.

APPENDIX NO. 274

Remonstrance against Reductions.

Extract from a return submitted by the Magistrate and Collector of the Meerut district, to the Commissioner for the revision of Civil Salaries and Establishments throughout India, dated July, 1856.

I consider that the special circumstances which ought to be considered in fixing the salary of the Collector and Magistrate of Meerut, (special as regards the service, though common to many districts) to be the following :—1st I have with the small agency noted, the entire police, magisterial, and revenue duties of a district equal in geographical extent to four average counties, and containing a population exceeding one third of the entire population of Scotland I am not aware of the exact number of Magistrates, Fiscals, and Inspectors, who would consider themselves overworked if entrusted with the same duties among my countrymen, their numbers would assuredly amount to some hundreds however.

2ndly. We are obliged to devote years of study to qualify us for slavery in a profession which must be carried on in an inimical climate, and in exile, while if health fails, the knowledge acquired is useless elsewhere. We have no invalid branch, or half pay list, and up to ten years residence in the country, the civilian must, if compelled to return, carry his useless knowledge, and ruined constitution, elsewhere, with a bonus merely of £500 for his future support.

3rdly. I can find no parallel in the English Civil service to the responsibilities and labor imposed on ours. In no office, excepting that of one of the ministers of, or Secretaries to Government, are such multifarious and onerous duties, and such diverse acquirements, necessary. I find however that the Recorder of London (whose public duties are such as to allow of his carrying on private practice) receives £2,500 a year. Each of the Tithe Commissioners whose duties (as in the case of Professor Jones, are limited to a few hours a week, receive £2000 per annum ; while even second rate members of the English and Irish bar, if persuaded to risk their lives in the country, even for a temporary residence, hardly endangering their constitutions, receive salaries which are, as compared with ours, enormous. The recordership of Penang is worth £2,000. The Justiceships of the Presidencies £4,000, &c. &c. &c. They have social rank moreover awarded to them at home, while on the other hands? after passing examinations more severe than those known in any other service in the world, after years of labor in the tropics, those of us who have the means of returning, return home without any rank at all, with no reward for their services but a small pension, and the savings they may have made from the salaries now to be reduced.

R. H. DUNLOP,

Magistrate and Collector.

2610

APPENDIX NO. 695

Remonstrance against Reductions.

Extract from a return submitted by the Commissioner of the Agra Division, to the Commissioner for the revision of Civil Salaries and Establishments throughout India, dated the 16th August, 1856.

To arrive at the post of Commissioner, it is ordinarily necessary that the officer shall have given twenty-five years of his life, that is, individual exertion for nearly a quarter of a century to the public service. At such an age, and with such previous training, he is not so well remunerated as he would be in any office of at all corresponding trust and importance in the mother country. He has passed through all the lower grades of the service, and may be supposed to have acquired some valuable experience and knowledge in each. A Commissioner, under the already reduced scale of establishment, has no further reward to look to; and not one man in fifty, under the present scale of salaries, has paid for his pension, or is able to retire when he has served the full period necessary to entitle him to do so. I am fully convinced that true policy would not dictate reduction of salaries, and that whatever re-arrangements of income may be thought necessary to equalize the allowances of district officers, it is specially of importance that there should be something in advance of these district officers to look to, and that it will be worth no man's while to enter, or to continue in a service, in *India*, where such rewards do not exist, or have been diminished in number and value.

No public man in England can form an estimate of the drawbacks to an official career in India, even when the officer's health may not have been greatly impaired by the climate. Nor, can the position of colonial crown officers, in temperate climates, with all the needs and requirements of intelligent existence inexpensively supplied to them, justify any such comparison as can fairly be used by way of argument for reduction of salaries. A vacancy in the colonies can be supplied at once, and on the spot. The Indian officer is chained to one unwholesome climate for twenty-five years. Her Majesty's Cabinet Ministers, or the Professors of the Public Universities, would be utterly inefficient as substitutes for the Magistrates, Collectors, Judges and Commissioners, in any part of India; young and able men are, of course, in process of qualification, but in India especially, the impulse, and frequently inordinate energy of youth, would not be always safe without check; and young men of ability will not be contented or efficient with the sole prospect, in front of prolonged and unrewarded exile. A brief period will, I trust, terminate my own Indian career, and I therefore raise my humble voice by way of warning. The allowances for officers of large trust in the Non-regulation provinces are notoriously inadequate, discontentment prevails, and inadequate discharge of duty will follow, or that frequent change of functionaries and of system which will, in the end, be a fertile source of injury to the public income, and of dissatisfaction to the people under our rule.

G. HARVEY.

Commissioner

2412

APPENDIX. No. 6.

To

Judges, N. W. Provinces, E. M. Wylly, Esq.

H. RICKETTS, Esq.,

Commissioner for the Revision

of Indian Civil Salaries.

Sir,

Some months ago you did me the honour to call upon me to state, in a return of Office Establishment forwarded to you, my reasons, if any, against the reduction of my Salary as Judge of Agra. This mode of putting the question, to a member of the Service individually, in his separate official capacity, did not seem to me, either fair or liberal. Moreover, although every Government is, without doubt, bound, in regard for its own character for justice and consistency, to fix the salaries of its public servants with such forethought, that alterations involving serious injury and disappointment may not afterwards be required; still, it was my opinion, that the Government having, for reasons best known to itself, undertaken so ungracious a task, it was itself the only proper Judge of the manner and extent in which the measure was to be carried out. It was not for me to argue with the State, regarding the propriety of reducing the Salary of my particular Office.

But I do not wish from my silence, that you should entertain the impression, that I consider the general measure of reduction, either just or necessary—the opinion of the Civil Service, as a body, might I think, in fairness, have been called for—they should have had an opportunity of refuting the assertion, that they are an overpaid class. At any rate, I feel that I am right in making to the best of my ability, my personal protest against the doctrine and its threatened consequences.

It was asserted not long ago, by some one at home, that there was no good reason, why the officials in this country should receive higher Salaries, than those of any other Colony. The statement was a betrayal of the Speaker's own ignorance, inasmuch as India has none of the characteristics of a Colony, properly so called. It has no Colonists of the unmixed Anglo-Saxon race; the climate is so enervating in its nature, that an Englishman can only for a time be a sojourner in the land. Twenty-five years are, with rare exceptions, the limit of his continuous residence in India. Within twelve years from its first landing, a British regiment (irrespective of casualties by war) is frequently recruited entirely anew. The race degenerates even in the Himalayahs, and all English parents who can afford it, find an absolute necessity for sending their children to England at the age of six. We can never become Colonists in such a country, but as long as we continue to be the governing power, a continual influx of new English blood will be required, and the men of this race must be highly remunerated, for they will come but for a time, to make a fortune or a competency, and to return.

Judges, N. W. Provinces, E. M. Wylly, Esq.

To such a country, a body of well-educated English Gentlemen, with a special training for the duties required of them, and giving up necessarily all hopes of any other career, are expatriated, for a term of from 25 to 35 years, for the Civil service of the Government; our former Governors General*, in, the absence of any retiring pensions for length of service, recognised the necessity of conferring very high pay on their Civil Servants, and it was not until many years had elapsed, and when retiring pensions of £500 a year were granted, and an Annuity Fund established, which ensured a life income of an additional £500 per annum at the end of 25 years service, that valid reasons were admitted for reducing the large Salaries of former days. But the service still continued to be well paid; for they were condemned to an unpropitious climate. The very air they breathed, and the sun that shone upon them were expensive, as involving frequent changes to Sea or to Europe. The mere necessaries of life alone, are cheap in India. For European comforts and conveniences, with which their habits and constitutions forbade them to dispense, they had to pay often double and treble the home prices—and besides, they were the rulers, often with uncontrolled authority over a timid and intriguing race; they had frequently under their trust and guardianship, the wealth of Millionaires, and the territories of Princes, and they served a Government which was, no doubt wisely, peculiarly watchful that its subordinates engaged in no trading speculations, and jealous of their too great familiarity or close connection with the people of the country.

These conditions have not greatly altered; the climate is the same, and our requirements are the same. India is as far from becoming a home and a colony for the Anglo-Saxon race, as it was in the days of Clive. The opening of the Overland Route has only increased the supply of our English luxuries and comforts, without reducing their cost, and a journey to England, though more rapid than in former times, is also more expensive. The people of the country have scarcely changed. The influence for good of the high-minded gentlemen of the Civil Service, is as great as ever; their duties are at least as important, and certainly more onerous and manifold than formerly†; they are still Governors of kingdoms, of provinces, of counties. Never have they shewn greater zeal or energy; never have they deserved better of the state than now.

* NOTE.—Drawing themselves a salary six times as large as that of the Prime Minister of England.

† NOTE.—The following are some of the ordinary duties of a Magistrate and Collector in the N. W. Provinces, from my own experience.

1. Collector of Government Revenue.
2. Registrar of Property in Land.
3. Judge between Landlord and Tenant.
4. Ministerial Officer of the Courts of Justice.
5. Treasurer and Accountant of the District.
6. Keeper of Revenue and Criminal Records.
7. Manager and Guardian of Estates of Minors in the Court of Wards.
8. Magistrate of Town and District.
9. Superintendent of District Police.
10. Superintendent of the Jail and its Manufactories.
11. Superintendent of Supplies for Troops on the March.
12. Superintendent and Accountant of District Roads.
13. Superintendent of Public Works and Buildings, Jails, Offices, Bridges, Drainage Works, &c.
14. Supervisor of District Schools.
15. Superintendent of Public Ferries.

&c, &c. &c.

APPENDIX No. 636

SECRETARY

Judges, N. W. Provinces, E. M. Wylly, Esq

But, whilst the conditions with reference to which our present salaries were originally fixed, have not essentially altered, the prospects of the service have greatly deteriorated. Our retiring pensions are no longer secured to us at the end of 25 years service. Indeed I am told, that those who, like me, have already served 20 years, may consider themselves fortunate, if their pensions fall due at the end of the term of 35 years, to which our service is now limited. On the subject of this pension, as well as on that of the Civil Service Annuity, we have been, I will not say, wilfully deceived ;—but certainly misled ; there is no future prospect for any Civilian, excepting those who may become Lt. Governors or Members of Council, of ever securing a full annuity out of the present salaries, and the promised pension has become such a remote contingency, that I believe, there is but one opinion now as to the Government at home being bound in common justice, to revise the old rules for the award of Pensions, and to grant them at the end of our stipulated term of service of 25 years. The Court of Directors may feel it disagreeable to have to provide for us, in a manner not contemplated in their original scheme, but this is no part of the question, which is simply one of right and justice. It resolves itself into this. The fair term of service in this country, is justly rated at 25 years, including our furlough. Not a day, not an hour, should we be compelled to serve beyond that time. Our salaries no longer will allow us to lay by any provision for the future. The Annuity Fund is a wretched failure, and a bitter deception to us. Europe, England, and the Western Colonies, are being brought nearer to us every day, and every day do we crave more to see them. Few of those now entering, and about to enter, the service, will submit to the prolonged stay endured by the Civilians of other days. Every one is now calling out for a pension, after a short term of service,—and as we have amply earned ours, let us hope that it will be cordially granted. From the man of Science and the Engineer, to the lowest Artificer, no Englishman now a days will come to this country, without some certainty of a provision for the future. How much more readily then, should we, who by our early training, as well as by our administrative duties in India, have become practically unfitted for gaining our livelihood elsewhere, be fitly provided for, at the end of our 25 years service in the Tropics ! the rapid transition of our day, from Europe to this country, only makes India more intensely unbearable. I believe that the pension without reservation, must be granted at last, and that we shall be allowed before our energies are altogether wasted, to resign the invidious task of employing our best years and talents in such a country, in the teeth of Parliamentary misrepresentation, and the apathy of those who ought to have stood by us.

Our service is called a favored one, and yet the cup of our miseries has been filling rapidly of late, and one or two recent orders, promise to make it overflow. Our privilege leave is granted grudgingly, and when obtained, we are kept penniless, until we return to our appointments at the end of three months. After sick leave, we are not allowed to go on furlough, until a lapse of six years ; every gift like in the fairy tale, is accompanied by a penalty ; and we are compelled to move when required, from Ghazeepore to Peshawur, and the Salaries of the remoter districts of the far North, cut off from their supplies, and where travelling is ruinously expensive, are reduced to a subsistence al-

Judges, N. W. Provinces, E. M. Wylly, Esq.

lowance. And now, at the time, when with a flourish of trumpets, and a severely scientific test of fitness, the Civil Service of India is thrown open to the public competition of Great Britain, a measure for the further reduction of Salaries is introduced, and the appointments will become unworthy the acceptance of the *Elite* of the Schools and Universities of the United Kingdom. Was it, I ask with deference, altogether gracious on the part of Government, to have the obnoxious measure primed, loaded, and ready, in Calcutta and Bombay, to be fired in the faces of the first batches of successful but unprotected candidates for Civil Service appointments?

I have heard it stated, that the present scheme is not intended to affect actual incumbents; in our own country, where a public servant often holds an appointment to the extreme verge of life, such a condition would be accepted, as one of great liberality; but in India, where any continuous tenure of office is, from the nature of the climate, improbable, it is scarcely a boon—I, for instance, entered the service 20 years ago, looking forward to a range of appointments of a certain value, according to my deserts. I now find it absolutely necessary to take my furlough to England, and I shall, thanks to your scheme, return to a very much smaller Salary, than that which I am now compelled to relinquish. Situated as we are, incumbency in the service, (and not merely in actual appointments) of those who entered it many years before these merciless reductions were contemplated, should be considered. This would be a mere act of justice, but I fear it is not to be expected from expediency. The future progress of the Service, as regards Salary, promises to be rather of a retrograde character. All our prospects seem very unsatisfactory. I have been disappointed in the expectations aroused by the Charter of 1834, under which I entered the Service, and I sometimes feel, that I have fallen into a snare, from which nothing can release me, but death or the operation of the 35 years rule.

I am, Sir,

Your most Obedient Servant,

EDWARD MICHAEL WYLLY,

Civil Service, N. W. P.

AGRA,
November 10*th*, 1856.

APPENDIX NO. 677

Remonstrance against Reductions.

No. 1.

JUDICIAL DEPARTMENT.

FROM

H. H. GREATHED, ESQUIRE.

Commissioner, 1st Division, Meerut,

TO

H. RICKETTS, ESQUIRE,

Commissioner for the revision of Civil Salaries throughout India,

CALCUTTA.

Dated, CAMP DEHRA DOON, 21*st February,* 1857.

SIR,

I beg leave to lay before you a representation of the views that are held by myself, and by my Covenanted colleagues in the Meerut division, on the reduction of Civil salaries contemplated in your commission.

2ndly. I have adhered to my intention of limiting the circulation of this address to the division under my superintendence, and of placing it in your hands, because I am informed that representations on the same subject from individual members, or sections of the service, have already been transmitted to your office, and accepted by you, and I feel confident that the interests of all who have joined in the address will be best promoted by following the same course.

I have the honor to be,

Sir,

Your most obedient servant,

H. H. GREATHED,

Commissioner.

APPENDIX NO. 677

Remonstrance against Reductions.

FROM

H. H. GREATHED, ESQUIRE,

Commissioner,

TO

The Covenanted District Officers of the Meerut Division.

Dated the 6th January, 1857.

GENTLEMEN,

I respond to wishes expressed by several officers of the division, in stating the opinions I hold on the revision of the Civil salaries undertaken by Mr. Ricketts, which we are credibly informed, is likely to result in a general reduction of the emoluments of the Convenanted officers serving in the North West Provinces; and I address you collectively, with the intention of hereafter transmitting my statement to Mr. Ricketts, as the exposition of my own individual views, and of the sentiments of those among you, who are disposed to subscribe to this letter.

I must commence with the admission, that our claim to be heard against the threatened reduction cannot be based on pleas of infringed rights or invaded privileges, for by our Indenture we are retained to serve on such emoluments as we shall be entitled to, according to the regulations of the service, and the orders of the Home and Indian Government, and such retainer is to continue during the pleasure of the Home authorities, so that by the letter of the compact our salaries and our very existence as public servants are at the mercy of the ruling power. But although placed by our convenant on terms of such absolute dependence, we may rely that the spirit of the engagements under which we entered the Civil service of India will not be lost sight of by our rulers, and that no measure will be adopted, without mature consideration, which may be held by our body to be calculated either to disappoint just hopes, or to impair the efficiency of the civil administration, and on these grounds we may, with confidence, trust that our representations against the proposed reduction will meet with attention.

I proceed to advert to the nature and extent of our administrative charge and duties, and to the cost entailed on the state by the support of the Covenanted agency and Magisterial and Revenue establishments of this division.

We are charged with the police control over a territory of 11,238 square miles, and a population of upwards of four and a half millions. We collect annually a revenue of above seventy-four lacs, and watch over the interests of every individual proprietor and cultivator in the 9,093 estates into which the division is partitioned. Excepting the grand Trunk Line, we have the construction and maintenance of all the interior district roads and highways, and of their bridges, and of the care of the public ferries. We are looked to, to suggest and carry out local improvements and sanatary measure, to promote educational progress, to construct and keep in repair Civil buildings; and as

APPENDIX NO. 677

Remonstrance against Reductions.

Magistrates, you have responsible duties in connection with the management of jails, and as Collectors in providing for the march and supplies and encampments of troops.

It can be shewn that the labour imposed in the performance of these varied duties is yearly growing heavier, and that more and more is demanded from us.

It is only necessary to refer to the printed Government orders on the police reports of the last three years, to see how much more minute the supervision of police matters has become. The character books of the entire police force, the training and disciplining of a portion of that force, the activity in the pursuit of proclaimed offenders engendered by the new system of registers, the surveillance of time-expired convicts, the better enforcement of the vagrancy laws, and the general close attention paid by superior authority to every defect and failure, exact an increased attention to police duties which is cheerfully given, while the necessity of recording your decisions in English renders the delegation of judicial duty an impossibility.

In the Revenue administration, the increase of work is equally marked the number of Revenue cases instituted in your Courts during the last three years, and the number pending at the close of each year are noted below:—

	No. of cases instituted.	No. pending at close of year.	Centesimal proportion of cases pending to cases instituted.
1853-54	25,105	3,593	14 per cent.
1854-55	30,238	3,731	12 „ „
1855-56	40,154	4,428	11 „ „

so that while the work has increased, in three years, sixty per cent., the proportionate amount of arrears has gone on decreasing. It is not difficult to determine that this influx of cases is owing to the systematic enquiries you now carry out into the genuineness of the annual village papers, stimulating a corresponding interest on the part of the agricultural community in the maintenance of their rights, and consequent freer use of your Courts. It is also to be ascribed to the important undertakings of re-settlement in Saharunpore and Boolundshuhur, and of revision of settlement records, and re-measurements in Meerut and Allygurh, now in progress, which will continue to engage the exact and laborious attention of the Collectors of those districts for a lengthened period, and there is little prospect of the increase being temporary, for all legislation now tends to throw the decision of every action connected with the agricultural interests into your hands. You are already vested with the decision of a large class of cases of ouster formerly referrable to the Civil Court, you are charged with the virtual decision of all questions of rent

arising in Civil cases, and it is proposed to confer authority on you to decide on questions of right preliminary to partitions. As might be anticipated, the progressive increase of your files has caused an addition to your English correspondence, and the number of letters that have passed between the district and divisional offices, on revenue subjects, has increased from 4,441, in 1853-54, to 4,997, in 1855-56, and I can, at the same time, affirm that replies and reports are received from you with an augmented alacrity.

The advance that has been made in improving the internal communications of the country, during the same period, has likewise contributed to your labours. It is notorious that in former years, the road and ferry funds were devoted principally to the perfection of the main roads of the country. This system has worked out many good results, but the construction and care of such lines involved little personal trouble, whereas you are now engaged in improving all the roads leading to every village market, and connecting such places with each other, and we confidently look forward to every cart track in the country, in the course of time, being made as good as the soil of the country admits, and of every stream and water way being bridged. At the same time, bridges of boats over the Ganges, which were formerly farmed out, and left to the care of the lessees, are now taken under direct management to the advantage of travellers, and of the ferry revenue, but at the expense of additional labour to the Magistrates who manage them.

The completion of local improvements, and of sanatory measures, is now obligatory upon you, to the extent of the funds at your disposal, and has made large progress in some districts, and the promotion of Native education, still a new feature in our administration only awaits authoritative sanction to the school cess, to make rapid strides, and has already advanced with the aid of voluntary contributions of landholders.

The Covenanted agency employed in the performance of these duties is detailed in the margain*. The annual charge amounts to 3.46 per cent. on the revenue of the division, the rest of the Civil establishments, Magisterial and Revenue, Sudder and Mofussil, inclusive, costs Rs. 6,12,000 per annum, equivalent to 8.22 per cent. on the revenue of the division.

1 Commissioner,	... ...	3,166
5 Magistrates,	at 2,250, ...	11,250
1 Superintendent Dehra,	...	1,000
3 Joint Magistrates,	at 1,000, ...	3,000
2 ditto ditto,	at 700, ...	1,400
4 Assistants,	at 400, ...	1,600
Per Mensem, Rupees	...	21,416
or Per Annum, Rupees		2,56,992

In considering the relative expense of the Convenanted agency, I must contend that there is no test by which the adequacy of the pay of the European element of the administration can be judged, except the standard of the just hopes of present members, and the dictates of experience as to the cost, at which the efficiency of a civil administration in India, guided by Englishmen, can be maintained. The colonies and Home Government, it will be admitted, afford no measure for comparison, and I assume at once that

no experiment of obtaining cheap machinery at the risk of eventual disorganization can be contemplated.

It is true that changes have taken place, and that the emoluments of the service, on the whole, are not now on the scale enjoyed by a previous generation. The lucrative appointments connected with the former mercantile operations of our rulers have been abolished, many offices have been amalgamated and remodelled, and within our time, the remuneration of the Opium agencies has been reduced by the substitution of a fixed salary in lieu of fees. The consequence has been that the deficit in the amount of our contributions to the annuity fund, at the close of 25 years' service, which in 1825, was looked upon only as a possible contingency, has now become an unavoidable result. But still a general reduction of salaries, on the plea that the service is over paid, is, I believe, an act of discipline from which our service has been, as yet, exempt; and I would represent to our superiors that, at no period has such a measure been less deserved, and that a reduction of our salaries, unaccompanied by any prospect of improved honorary distinctions, or substantial benefits, is a discouraging requital for the increasing energy with which every branch of the administration is carried on. It is, I think, the feeling of the service that the reduction would not have been so readily proposed if the extent of our work, and range of our duties, had been more truly appreciated.

We are aware that the position of civilians in the Punjab and Oude is pointed to in justification of a reduction of our salaries. But we reply that promotion and increase of pay fell to the Civil officers, who first took service in those provinces; Collectors becoming Commissioners, and Joint Magistrates obtaining charge of districts, and that such temporary temptations will always lead men cheerfully to accept offices, though the general scale be lowered: and there was also the consciousness that they belonged to a service which occupies the foremost rank in the Civil administration of India, and that they were not debarred from returning to the provinces solely administered by Civilians. And I would here remark that whenever the salaries of Civilians throughout India are reduced to the level at which Military officers in Civil employ can be induced to serve, that Civilians must fall into a second place, and become an inferior class, for they will be wanting in the prestige of the rank and honor to which their military confederates must rise, and may aspire, and will enjoy no advantage or credit which they do not share.

If experience allowed that the Civil administration of a country, advanced in civilization, could be carried on without a refined code of Civil Law, and without a body of Civil administrators, devoted exclusively to Civil Government, and without a judicial organization, independent of the executive, I would at once admit that unity of action among the governing body, and equality of respect from the governed, would be best attained by the exclusive employment in India of Military offices in all higher Civil officers, but as I believe an ex-

clusively Civil constitution is essential to the progress of a country governed on British principles, I trust our rulers will hesitate to deface the existing body of Civil administrators, and thus to disappoint our reasonable hopes, and to impair the future efficiency of the service.

I have, &c.,

H. H. GREATHED,

Commissioner.

We cordially concur in the above.

G. P. MONEY,
Magistrate and Collector of Allygurh,

W. C. WATSON,
Senior assistant Commissioner at Kumaon, on deputation at Allygurh.

G. D. TURNBULL,
Magistrate and Collector of Boolundshuhur.

S. MELVILLE,
Assistant Superintendent of Dehra Dhoon, on deputation at Boolundshuhur.

R. H. DUNLOP,
Magistrate and Collector of Meerut.

A. JOHNSTONE,
Joint Magistrate and deputy Collector of Meerut.

G. BERFORD,
Officiating Magistrate and Collector of Moozuffurnuggur.

C. GRANT,
Joint Magistrate and Deputy Collector of Moozuffurnuggur.

R. M. EDWARDS,
Joint Magistrate of Saharunpore.,

H. D. ROBERTSON,
Joint Magistrate and Deputy Collector of Saharunpore.

G. W. COLLEDGE,
Assistant Magistrate and Collector of Saharunpore.

We subscribe, in the hope that this letter may be sent to every division N. W. P., and adopted by the service.

H. G. KEENE,
Superintendent, Dehra Dhoon.

J. ROBERTSON.
Superintendent, Dehra Dhoon.

APPENDIX NO. 69

Remonstrance against Reductions.

I had not intended to sign this letter. It was my opinion, and is so still, that this protest, if presented at all, should go to the government at Home, and not to Mr. Ricketts. I also think that it should be a service, and not a divisional remonstrance. But I subscribe my name, joining in the hope that Mr. Greathed's letter may be forwarded to every division, for the common expression of opinion by the members of our service, in the North West Provinces.

ROBERT SPANKIE,
Magistrate and Collector of Saharunpore.

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APPENDIX No. [illegible]

Appointment of a Commissioner for the revision of Civil salaries, &c.

No. 1014.

FINANCIAL DEPARTMENT.

To

H. RICKETTS, ESQUIRE,

Bengal Civil Service,

Calcutta.

Council Chamber, the 14th March 1856.

SIR,

I AM directed to inform you that the Right Hon'ble the Governor General in Council is pleased to appoint you Commissioner for the revision of Civil salaries and establishments throughout India.

2nd.—The principal objects of the revision will be found stated in the accompanying copy of a despatch No. 60, dated 4th July 1855, and its annexure, received from the Hon'ble the Court of Directors, from which you will observe that the Hon'ble Court desire that uniformity in the amount of salaries and a reduction in the aggregate expenditure should be effected, and that the revision should be conducted on the following principles. *First,*—That whenever the duties are the same in nature and extent, the salaries should also be the same, but the raising of the lower salaries to the highest grade, must be avoided. An exception to this rule, to a small extent, may be allowed at the seat of the Government of India, in consideration of the higher importance of the offices, and the greater expense of living. *Secondly,*—That where the duties vary, the difference of salary should correspond to the difference of duty. *Thirdly,*—That all salaries disproportionate to the duties to be performed, or which admit of reduction, should be prospectively reduced. *Fourthly,*—That the greatest reduction, consistent with the efficiency of the public service, should be made in the aggregate expenditure.

3rd.—The revision of establishments is not mentioned in the Hon'ble Court's despatch above referred to, and it seemed at first to be doubtful whether the Court intended that they should be embraced in the enquiry. The Governor General in Council, however, having since determined that the revision of the several revenue and criminal establishments in the Sudder offices of the North-Western Provinces shall be reserved for the Commissioner appointed to conduct the enquiry, and the Hon'ble Court also having in their Judicial despatch No. 32, dated 7th November 1855, of which an extract, para. 24, is herewith forwarded, directed that the judicial arrangements proposed for the Rohilcund division of the North-Western Provinces should be included in the general revision. His Lordship in Council has resolved that the revision shall be extended to establishments in all departments, at all the Presidencies.

4th.—The revision of the salaries of the higher appointments (including the salaries of all officers, Covenanted and Uncovenanted, appointed by Government direct) will, His Lordship in Council thinks, be a matter of comparatively little difficulty, and will occupy comparatively little time. But if a minute and particular enquiry is instituted into the strength of every establishment, with special reference to the duties to be performed by them, it must of necessity, be spread over several years, and looking to the principle heretofore kept in view in sanctioning establishments, namely, that no establishment shall be sanctioned that does not appear to be *indispensably necessary*, the Right Hon'ble the Governor General in Council much doubts whether the advantages to be derived from a general minute enquiry of the description referred to, would be commensurate with the expense of conducting it. He thinks it will be preferable that the local Governments in the first instance be requested to state in what cases they consider a revision desirable, and, after disposing of such cases, that you should confine your further enquiries to cases in which, on a comparison of the establishments employed, and the general statements of work performed, there may be *primâ facie* reason to suppose that the present establishments are unreasonably high.

5th.—For the conduct of your enquiries, His Lordship in Council is of opinion, that the same kind of rules may be laid down as were prescribed for the guidance of the Finance Committee appointed in 1828, special reference, that is to say, should be had to all differences that exist in the scales established at the several Presidencies, and the reasons of them should be carefully examined, and it should be considered in what cases reductions may be effected by the consolidation of offices needlessly divided, and by the substitution of Native for European agency in the management of details. You will have free access to all public accounts and other documents which you may wish to consult, and all public officers at the several Presidencies will be required to afford you the fullest information in their power on the matters on which they may be interrogated. Officers stationed at, or near the place where you may be residing, will be required to communicate verbally, or in writing, as may be deemed by you to be most convenient, and you are authorized to correspond directly wit[illegible] y officer you may see fit to address, without using the intervention of the heads of departments, any neglect of, or inattention to, your references being immediately reported to the Government to which the party concerned may be subordinate.

6th.—It will be necessary, the Right Hon'ble the Governor General in Council thinks, for you to keep a record of your proceedings, to be submitted to this department on the first day of every week. You will also communicate the result of your deliberations in respect to the several departments and offices subjected to your revision in separate reports.

APPENDIX No. 698

Appointment of a Commissioner for the revision of Civil salaries, &c.

7*th.*—His Lordship in Council is of opinion that, it will further be advisable, in order to avoid subsequent references, and to allow of your proposals being sent up in a more complete form, that, when you have come to a resolve in respect to the salaries of any particular class of officers or establishments, you should submit it to the local Governments for an expression of concurrence or dissent, before finally recording it as a part of your scheme.

8*th.*—The Governor General in Council does not think that any more particular instructions are necessary, the details of the enquiry, he is sure, may safely be left to your discretion.

9*th.*—For the present* His Lordship in Council thinks the following establishment will be sufficient for the conduct of the duties connected with your office :—

1	Head Clerk	Rs.	350	0	0
2	Junior ditto at Rs. 100 each ..	„	200	0	0
5	Peons at Rs. 5-8-0 each	„	27	8	0
		Rs.	577	8	0

10*th.*—You are also authorized to employ such extra writers as may from time to time be necessary ; their salaries and travelling allowances, together with the travelling allowances of the fixed establishment, the expenses of carrying records, &c., being charged in a contingent bill, to be submitted monthly to this department for the sanction of Government.

11*th.*—His Lordship in Council is further pleased to assign to you, in addition to your salary as a member of the Board of Revenue, a travelling allowance of Rs. 500 per mensem.

I have the honor to be,
SIR,
Your most obedient Servant,
C. HUGH LUSHINGTON,
Secy. to the Govt. of India.

* Under orders dated the 12th December 1856, the Establishments stand remodelled thus :—

1	Assistant to Commissioner	500	0	0
1	Writer	200	0	0
1	Ditto	125	0	0
1	Ditto	100	0	0
5	Peons at Rs. 5 8 each	27	8	0
	Rs.	952	8	0

2428.

APPENDIX No. 6/4

Appointment of a Commissioner for the revision of Civil salaries.

FINANCIAL DEPARTMENT.

London, 4th July 1855

No. 60.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

Judicial letter, dated 24th Feb. 1854, (No. 6.)
——————, dated 24th March 1854, (No. 7.)
Financial letter, dated 6th May 1854, (No. 27.)
Public letter, dated 26th June 1854, (No. 44.)
Foreign letter, dated 18th Oct. 1854, (No. 93.)
——————, dated 4th Dec. 1854, (No. (100.)

IN your letters noted in the margin, you have brought under our consideration the salaries assigned to the Judges of the Sudder Court, and the Members of the Board of Revenue in the North-Western Provinces, and those of Civil officers employed in Scind and the Punjab.

2. You have explained the grounds on which, subject to our sanction, you have authorized the Lieutenant-Governor of Agra to fix the salary of a Judge of the Sudder Court, and that of a Member of the Board of Revenue, on the same scale of Rs. (48,000) forty eight thousand per annum.

3. As the salaries of the Judges of the Sudder Court had been fixed at Rs. (45,000) forty five thousand, and as the general rule had been laid down that no salary should be increased without our previous sanction. the increase in question ought not to have taken effect until we had seen fit to authorize it. Although we refrain from directing a reduction of the higher salary in the case of those individuals to whom it has been assigned at the date of our present despatch, we desire that their successors may receive only the authorized salary of Rs. (45,000) forty five thousand, those also who succeed to vacancies in the Board of Revenue will receive Rs. (45,000) forty-five thousand.

4. We take this occasion of transmitting to you the copy of a letter* addressed by the President of the Board of Commissioners for the affairs of India to our Chairman and Deputy Chairman, drawing our attention to the numerous discrepancies to be found in the salaries of corresponding offices under the different Presidencies. These may, in some instances, be satisfactorily accounted for, but they are so numerous, and apparently anomalous, as to lead to the conclusion that the scale of remuneration for the same services has not been regulated on any uniform principle, and that a general revision is necessary.

5. We are aware that a different distribution of duties may occasionally explain why the scale of remuneration also varies, and that the same duties are not always performed under the same designations. Never-

* Dated 27th January 1855.

theless, the nature of the duties, and the gradation of the offices in the Revenue, and Judicial, and Political departments throughout India are, in a great measure, identical. Any revision of salaries, therefore, ought to have uniformity for one of its principal objects. Another object should be to effect a reduction in the aggregate expenditure. The present state of the finances of India, and the increase of its establishments, which have in several respects been found necessary, give additional weight to this consideration, which you are aware has been kept in view in the Act of 1853, in reducing considerably the salaries of Commander-in-Chief, and members of the Council of India, and in fixing the salaries of members of the Legislative Council not holding any other office at Rs. (50,000) fifty thousand per annum

6. With these preliminary remarks, we desire that by such process as you may judge best adapted to the purpose, you will without delay institute a general revision of the salaries of all Civil appointments under the several presidencies of Bengal, Madras, and Bombay, as well as in the other provinces of India.

7. The revision is to be conducted on the following principles, 1*st*.—That wherever the duties are the same in nature and extent, the salaries should also be the same, but the raising of the lower salaries to the highest grade must be avoided. An exception to this rule, to a small extent, may be allowed at the seat of the Government of India, in consideration of the higher importance of the offices, and the greater expense of living. 2*nd*.—That where the duties vary, the difference of salary should correspond to the difference of duty. 3*rd*.—That all salaries disproportionate to the duties to be performed, or which admit of reduction, should be prospectively reduced. 4*th*.—That the greatest reduction, consistent with the efficiency of the public service, should be made in the aggregate expenditure.

8. When this arrangement and reduction of salaries shall have been completed, we desire that it may be submitted for our consideration and sanction. In the mean time, the salaries of the Judges of the Sudder Court, and Members of the Board of Revenue at Agra, as sanctioned in the preceding part of this despatch, are to be considered as provisional, and the salaries of the officers in the Punjab and Scind will remain as they are.

We are, &c.,

(Signed) E. MACNAUGHTEN,

And twelve other Directors.

APPENDIX No. 6/9

Appointment of a Commissioner for the revision of Civil salaries.

India Board, the 27th January 1855.

To

THE CHAIRMAN AND DEPUTY CHAIRMAN OF THE EAST INDIA COMPANY.

GENTLEMEN,

MY attention has been for some time past directed to the salaries received by the Civil servants of the East India Company, more especially in consequence of two proposals submitted by the Government of India,—one relative to the salaries of the Judges of the Sudder Court, and of the Members of the Board of Revenue in the North Western Provinces, and another as to those of the Civil officers in Scind.

On looking into the scale of salaries generally, many discrepancies appear, for some of which it would be difficult to account, and which clearly ought not to continue, but which could only be set right by an extensive and general revision of salaries.

In a despatch now under consideration, a difficulty is represented to exist by the Lieutenant-Governor of the North-Western Provinces in the promotion of Civil servants, of suitable standing, to the office of Sudder Judge at Agra, because the Members of the Board of Revenue there, who are considered to be of corresponding rank, receive the higher salary of Rs. 52,200, although the duties of their office are not deemed to be so arduous, and are more readily undertaken thanthose of the Judges.

The salary of the Judges of the Sudder Courts, and of the Members of the Board of Revenue in the different Presidencies, were as follow :—

Judges at Calcutta..... per annum...	Rs.	52,200	0	0
Agra.....	„	45,000	0	0
Madras.....	„	49,000	0	0
Bombay	„	42,000	0	0
Members of the Board of Revenue, Calcutta...	„	52,200	0	0
Agra	„	52,200	0	0
Madras...	„	48,000	0	0
	„	40,900	0	0
	„	36,000	0	0

At Bombay there is no Board of Revenue.

In order to obviate the difficulty above stated to have been found at Agra, the Government of India propose that the Judges of the Sudder Court at Agra should receive Rs. 48,000 instead of Rs. 45,000 per annum, and that the members of the Board of Revenue should receive Rs. 48,000.

There is not alleged to be any alteration in the duties of the Sudder Judges, which would justify an increase of their allowances, though their duty may be more arduous than that of the Members of the Board of Revenue.

Nor would that amount of Rs. 48,000, though lower than what they now receive, appear to be needed for the Members of the Board of Revenue, judging from the salaries of the corresponding officers at Madras, the average of which is only Rs. 41,700 per annum.

It has been usually understood that, from the necessary expenses attending a residence in the Presidency towns, higher allowances were required for officers residing at Calcutta, Madras, and Bombay. At any rate, there does not appear to be any reason why the salaries in the North Western Provinces should be higher than those at Madras and Bombay.

On adverting to the salaries of other officers, it appears that in Bengal, from the greater size of the Presidency, and from the greater importance of the business, the salaries attached to the chief places have generally been larger than in the other Presidencies; but in some instances the case is exactly the reverse, for which no good reason can exist.

For instance, the Secretaries of the subordinate Governments receive—

In Bengal	Rs. 36,000
„ Agra	„ 36,000
„ Madras	„ 50,000
	„ 40,000
„ Bombay...	„ 40,000
	„ 35,000

The Accountants receive—

In Bengal, in whose office the accounts of all India are combined	Rs. 36,000
„ Agra	„ 36,000
„ Madras	„ 42,000
„ Bombay	„ 40,000

The salaries of Sub-Treasurers who receive—

In Bengal	Rs. 36,000
„ Madras	„ 24,000
„ Bombay	„ 30,000

do not appear to be in any proportion to the revenue received.

Without going through all the instances of discrepancy which appear in the list, I will advert to only two more in a lower grade.

Of the Joint Magistrates and Deputy Collectors under the Bengal Presidency, five receive salaries of Rs. 18,000 each, and the rest either Rs. 12,000 or Rs. 8,400.

In the North-Western Provinces none receive more than Rs. 12,000 and Rs. 8,400; but at Madras the whole receive Rs 14,000, and at Bombay the salary of the only office so denominated is Rs. 16,800.

APPENDIX No. 79

Appointment of a Commissioner for the revision of Civil salaries.

The Magistrates and subordinate Judges in the Bengal Presidency, twenty-five in number, receive Rs. 16,800 each, and two only Rs 10,539, while the two employed under Bombay receive Rs. 14,400 each.

The duties of these officers must be very much the same in all the Presidencies. They may vary with the size of their districts; but this variation would probably occur in all the Presidencies.

Some of these differences may doubtless be accounted for; but they are so numerous, and so irregular, that it is evident no rule has been followed in fixing the amount.

To some extent also discrepancies may be inevitable in a long course of years; but it is the more needful that there should be periodical revisions in order to correct the anomalies which have thus arisen.

You will recollect that, in 1848, when an additional Judge was required under the Bombay Government, the salary of that office was reduced, and that class of salaries, as well as those of the corresponding office of Collector, will evidently bear revision.

In the scheme which has been prepared for the purpose of fixing the Civil allowances in the province of Scind, it is proposed to double the allowances of certain Civil offices, which have existed at their present amount for more than ten years past.

No objection ought to be entertained to a proper and reasonable remuneration to those who hold responsible offices, or to continuing their present salaries to gentlemen now holding offices, provided that those salaries have been sanctioned by the Court ; but when several of these allowances are to be newly fixed, and when it is undeniable that great and unaccountable anomalies exist, it seems a favorable opportunity for effecting a revision of the whole. I think also that we might avail ourselves of this revision to effect, at the same time, a reasonable reduction in some of the salaries.

You will not have failed to remark that the Legislature in the Act of 1853 for the administration of the Indian territories, so far as it entered into the subject of Civil allowances, effected a reduction of those payable to officers below the rank of Lieutenant-Governor. The salaries of Members of the Council of India were reduced from Sa. Rs. 96,000 to Co.'s Rs. 80,000. The salaries of the members of the Legislative Council of India were fixed at Co.'s Rs. 50,000, and this enactment very naturally suggested to the Government of India, the propriety of reducing every Civil salary at the Presidency (below the Council) which exceeds Rs. 50,000, to that amount.

I need hardly remind you that the state of the Indian finances at the present time, which exhibits a large deficiency of resources to meet the expenditure, while those resources are to a great extent of a precarious

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character, prescribes the absolute necessity for the diminution of charge wherever it can safely be effected.

You are aware also that the Governor General has long since represented forcibly the demand that exists for an increased establishment of Civil servants, Covenanted or Uncovenanted. It would be difficult in the present and prospective state of the Indian finances to add much to the permanent charges of the Government, for such a purpose, and the expense of such an increase of persons employed might, in a great measure, be met by the reduction, to some extent, of the high scale of allowances which are at present attached to a large number of the Civil offices.

The best method of framing a measure for carrying the revision into effect, will be a point for your serious consideration.

There might be an objection to imposing the task upon the Government of India, who are placed so immediately in contact with the individuals to be affected by the change; but whatever course shall appear to the Court of Directors to be preferable, I shall be ready to give my best attention to the proposition, and any assistance which it is in the power of the Board to afford.

I have the honor to be, &c.,

CHARLES WOOD.

BENGAL SECRETARIAT LIBRARY.